### Sills Cummis & Gross

A Professional Corporation

The Legal Center One Riverfront Plaza Newark, New Jersey 07102-5400 Tel: 973-643-7000 Fax: 973-643-6500

Jeffrey J. Greenbaum Member Direct Dial: (973) 643-5430 E-mail: jgreenbaum@sillscummis.com

101 Park Avenue New York, NY 10112 Tel: 212-643-7000 Fax: 212-643-6500

### CONTAINS INFORMATION MARKED AS AEO/CONFIDENTIAL UNDER THE DISCOVERY CONFIDENTIALITY ORDER

September 26, 2024

#### By Email

Hon. Freda L. Wolfson, U.S.D.J. Lowenstein Sandler One Lowenstein Drive LLP Roseland, NJ 07068

Re:

JJHCS's Motion to Compel Additional SaveOnSP Custodians Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC, Case No. 2:22-cv-02632 (JKS) (CLW)

Dear Judge Wolfson:

JJHCS moves to compel SaveOnSP to designate four of its current and former employees as custodians: Leslie Kauffman, Brandon Bartz, Paula Mighells, and Jenna Quinn.

These individuals are carefully selected. Each possesses relevant and important documents that are not available elsewhere. These include documents bearing on critical issues like SaveOnSP's ceaseless efforts to evade detection by manufacturers, operational details of SaveOnSP's scheme, and the harm that this scheme causes patients. Indeed, some of the most damning admissions SaveOnSP has produced to date are the words of these very employees, but SaveOnSP produced them only where they happened to be conveyed to an existing custodian. SaveOnSP has never denied that these employees possess relevant documents and even mistakenly represented to JJHCS that two of them were *already* custodians. Yet SaveOnSP refuses to search

the files of any of these four employees, offering only unsubstantiated, boilerplate explanations (or no explanation at all) for that refusal. The parties have met and conferred regarding each of these custodians and are at an impasse.

Adding four custodians will not place any unreasonable or disproportionate burden on SaveOnSP. This case is about SaveOnSP's conduct, but one would not know that by looking at the parties' custodian counts. Because SaveOnSP seeks to mire this case in discovery and impose as much burden on JJHCS as possible, JJHCS already is producing documents from 45 custodians. But it doesn't end there. SaveOnSP seeks to add another 24 custodians from JJHCS and affiliated companies. If the Court were to permit that (and it should not), JJHCS's total would increase to an astonishing 69. By contrast, SaveOnSP—the company that engaged in the scheme that should be the focus of discovery, and about which JJHCS knew very little—has only 31 document custodians. If the four custodians at issue in this motion were added, SaveOnSP's custodian count would be only 35—still 10 fewer than JJHCS's existing total. And unlike SaveOnSP, JJHCS is not holding any requests for additional custodians in the wings or presenting them only piecemeal.

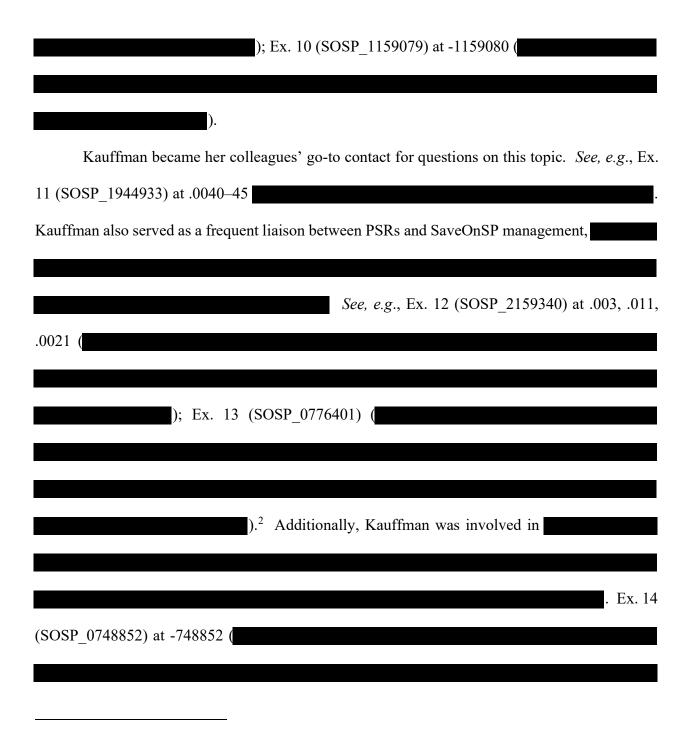
JJHCS respectfully requests that Your Honor order SaveOnSP to (1) designate Leslie Kauffman, Brandon Bartz, and Paula Mighells as full custodians, thereby requiring SaveOnSP to run all agreed-upon search terms for the relevant time period; and (2) designate Jenna Quinn as a limited custodian and apply search terms targeted to capturing SaveOnSP's efforts to evade detection by manufacturers.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> Attached as Appendix 1 to this motion is a chart illustrating the wide array of discovery requests to which the subjects of this motion are relevant.

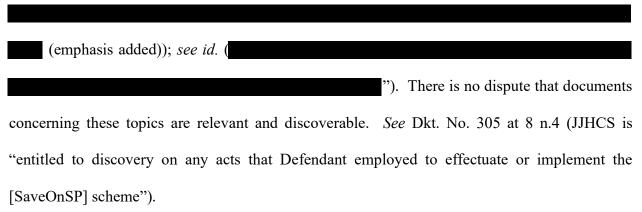
#### I. Leslie Kauffman

#### A. Leslie Kauffman Possesses Highly Relevant Documents on Critical Issues

• •
Leslie Kauffman was employed by SaveOnSP from June 2017 to approximately September
2023, during almost the entirety of the time period relevant to this litigation. See Ex. 1
(SOSP_0447169) at -447170 (noting start date); Ex. 2 (SOSP_2267684) at .0002. She began her
tenure as a Patient Support Representative ("PSR"), and in that role,
. See, e.g., Ex. 3 (SOSP_1370342) at -1370342
); Ex. 4 (SOSP_0920726) at -920727
); Ex. 5 (SOSP_1320852) at -1320854 (
).
Kauffman was also
See Ex. 6 (SOSP_0373734, SOSP_0373736). Evidence of such patient harm is, of course, highly
relevant to JJHCS's GBL claim. See Dkt. No. 68 at 13.
In addition to her patient-facing responsibilities, Kauffman was
See Ex. 7 (SOSP_0169175); see also Ex. 8 (SOSP_0115362) at -115363. By 2021,
Kauffman was promoted to
. See, e.g., Ex. 9 (SOSP_2389506) at .0070



<sup>&</sup>lt;sup>2</sup> This motion cites many audio recordings of phone calls and training sessions called "Huddles." Because of the format and file sizes of these native audio files, JJHCS has not included them as exhibits, but has identified them by Bates number so that SaveOnSP is able to review the cited material. If Your Honor wishes to review the native audio files, JJHCS will be happy to provide them through an FTP transfer or to arrange for transcriptions.



B. The Evidence in Kauffman's Files Cannot Be Obtained Elsewhere

Kauffman's custodial files are necessary to ensure that SaveOnSP makes adequate productions regarding its deception of manufacturers and evasion of their attempts to identify SaveOnSP enrolled patients. SaveOnSP has produced documents reflecting that "

Ex. 15 (SOSP\_1034492). SaveOnSP requested that

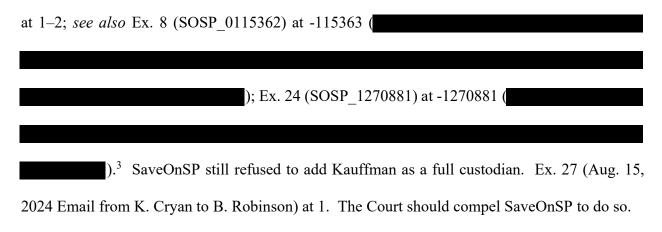
Id. To the best of JJHCS's knowledge, however, SaveOnSP has not produced any such emails, presumably because they reside in Kauffman's custodial files. Yet such documents would constitute key evidence of SaveOnSP's knowledge and efforts to evade JJHCS's and other manufacturers' terms and conditions.

In addition, documents from Kauffman's early years at SaveOnSP—particularly those involving PSRs' communications with patients and manufacturers—are poorly covered by SaveOnSP's existing custodians. As of early 2018, SaveOnSP had only 15 employees, just two of whom were PSRs that are existing custodians. Ex. 16 (SOSP\_0000116) (Jan. 29, 2018 Org

Chart); Ex. 17 (July 3, 2024 Ltr. from M. Nelson to S. Suri) at Exhibit A. Additionally, many of PSRs' communications at the time took place via the messaging application "Chatter," but SaveOnSP did not retain (and therefore did not produce) Chatter messages prior to June 2021. *See* Ex. 18 (Feb. 20, 2024 Ltr. from E. Snow to S. Arrow) at 1. Further, neither Kauffman's direct supervisor, Armand Peoples, nor the next person in her reporting line, Gary Meyn, are custodians (indeed, SaveOnSP did not even preserve Meyn's documents), so her communications with them cannot otherwise be obtained. JJHCS only has them if by happenstance an existing custodian was added to the message or received a forwarded copy. *See, e.g.*, Ex. 16 (SOSP\_0000116)); *see also* Ex. 19 (Mar. 29, 2023 Ltr. from A. Dunlap to H. Sandick) at 2.

## C. SaveOnSP Has Not Offered Any Basis for Its Refusal to Designate Kauffman as a Custodian

JJHCS requested that SaveOnSP add Kauffman as a custodian three months ago. *See* Ex. 20 (June 28, 2024 Ltr. from B. Robinson to M. Nelson) at 2. SaveOnSP has never denied that Kauffman's custodial files contain relevant documents and has never suggested that those documents are captured by its existing custodians. *See* Ex. 21 (Aug. 5, 2024 Ltr. from B. Robinson to M. Nelson). But SaveOnSP refused to add Kauffman as a full custodian and requested instead that JJHCS craft a "narrowed proposal" covering "the limited time period in which J&J alleges that Kauffman engaged in" efforts to deceive manufacturers. *See* Ex. 22 (July 19, 2024 Ltr. from M. Nelson to B. Robinson) at 2. JJHCS explained both that SaveOnSP's existing productions made clear those efforts were not for a "limited time period" but spanned most of Kauffman's tenure at SaveOnSP and that Kauffman's relevance was not limited to her efforts to evade manufacturers, as described above. *See* Ex. 23 (July 25, 2024 Ltr. from B. Robinson to M. Nelson)



#### II. Brandon Bartz

#### A. Brandon Bartz Possesses Relevant and Non-Duplicative Documents

from J. Long to M. Nussbaum). SaveOnSP refused. See Ex. 26 (Aug. 1, 2024 Ltr. from M. Nelson

to B. Robinson).

<sup>&</sup>lt;sup>3</sup> In an effort to compromise, JJHCS offered to add one of SaveOnSP's requested custodians in exchange for SaveOnSP's addition of Kauffman as a full custodian. Ex. 25 (July 18, 2024 Email

"). That Bartz possesses documents on subjects relevant to the litigation is undisputed and self-evident—training on such subjects literally was his job.

To be sure, Bartz is not the only custodian who possesses any documents regarding these subjects. But Bartz is not duplicative of current custodians—and his documents are particularly important—for at least two reasons. *First*, because of his supervisory and training roles, Bartz was one of the primary SaveOnSP employees to whom PSRs looked for questions as they tried to adhere to SaveOnSP's policies. Bartz's documents likely will show not only what SaveOnSP's official policies were but also what SaveOnSP told PSRs about how and why to handle member calls in practice, and bear on SaveOnSP's state of mind when communicating with manufacturers and members. Indeed, the addition of Bartz will obviate the need for SaveOnSP to add more PSRs as custodians, given that many likely communicated with Bartz.

Ex.

32 (SOSP\_1991209) at .0004 (emphasis added). These are key documents, which lay bare SaveOnSP's understanding of its conduct, and JJHCS is entitled to them.

SaveOnSP's understanding of its conduct, and JJHCS is entitled to them. **Second**, Bartz spoke with unique candor and color about SaveOnSP's business and the harms it caused. The above quoted Exhibit 32 is one example. In another instance, Bartz agreed in text messages with his colleague . See Ex. 33 (MIGH000954) at -956. Similarly, Ex. 32 (SOSP 1991209) at .0002. In other documents, Bartz Ex. 35 (MIGH00969) at -974, -977. And, Ex. 36 (SOSP 0768975) at .0001.

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Ex. 34 (SOSP\_1991001) at .0003.

This is evidence that JJHCS has obtained *without* custodial discovery from Bartz—in part via a third-party subpoena to former SaveOnSP employee Ted Mighells. JJHCS expects that there are many similarly revealing documents in Bartz's as-yet-unsearched email and on his personal cell phone.<sup>5</sup> It is understandable why SaveOnSP does not want to produce any more such documents—they are powerful evidence of SaveOnSP's wrongdoing. But that is exactly why JJHCS is entitled to them.

#### B. SaveOnSP Has Lodged Only Conclusory Objections to Bartz's Designation

JJHCS requested that SaveOnSP add Bartz as a custodian in July 2024. Ex. 37 (July 19, 2024 Ltr. from S. Suri to M. Nelson) at 2.6 SaveOnSP refused to add Bartz as a full custodian on the grounds that JJHCS had not demonstrated that Bartz possesses "unique, relevant documents" and that reviewing and producing his documents would be "unduly burdensome and disproportionate." Ex. 40 (Aug. 9, 2024 Ltr. from M. Nussbaum to S. Suri) at 2; Ex. 41 (Aug. 21, 2024 Email from M. Nussbaum to S. Suri) at 1. As explained above, however, there is no basis on which SaveOnSP reasonably could dispute Bartz's relevance. If SaveOnSP objects that his documents are duplicative or that review and production would be unduly burdensome, it is SaveOnSP's obligation to explain why. *See* Dkt. No. 305 at 5 (explaining, in rejecting SaveOnSP's contention that requested discovery was duplicative, that "[a] party resisting discovery on the

<sup>5</sup> In one of his messages, Bartz

, suggesting that Bartz regularly communicated with his coworkers

<sup>&</sup>lt;sup>6</sup> SaveOnSP previously represented to JJHCS that Bartz *was* a custodian, but later informed JJHCS that Bartz and various others were "incorrectly included" on SaveOnSP's custodian list. *See* Ex. 38 (June 20, 2024 Ltr. from M. Nelson to S. Suri) at 1 & App'x A; Ex. 39 (June 25, 2024 Ltr. from S. Suri to M. Nelson); Ex. 17 (July 3, 2024 Ltr. from M. Nelson to S. Suri).

grounds of burden or expense bears the burden of showing specifically how the request is burdensome" (citation and internal quotation marks omitted)). SaveOnSP has not done so.

Accordingly, SaveOnSP should be compelled to designate Bartz as a full custodian.

#### III. Paula Mighells

#### A. Paula Mighells Possesses Relevant and Non-Duplicative Documents

Mighells worked for SaveOnSP from mid-2019 to approximately mid-2023, first as an PSR and then in Quality Assurance, ultimately becoming one of SaveOnSP's most senior quality assurance auditors. She . See, e.g., Ex. 42 (SOSP 0683762) ( ); Ex. 43 (SOSP 1405368) at .0001 ( "); Ex. 44 (SOSP 0716137) see also Ex. 45 (SOSP 2117807) at .0014, .0022 (" Similarly, Mighells had unique responsibility for managing and reviewing calls concerning . See, e.g., Ex. 46 (SOSP 0855027) (" The limited communications that SaveOnSP has produced to date regarding declined enrollment calls shed light on patients' concerns regarding SaveOnSP, but most of these communications would be in

Mighells's possession. *See, e.g.*, Ex. 47 (SOSP\_1158399) (
"). These documents are all relevant to JJHCS's GBL claim.

Further, Mighells trained SaveOnSP personnel on a wide variety of subjects, such as:

the nature of SaveOnSP's business, see, e.g., Ex. 48 (SOSP 1937709) at .0106 SOSP 2383087 at 2:19–2:45 ( "); the information see, SOSP 2383037 at 5:45-5:52 ( ); and SaveOnSP's see, e.g., Ex. 49 (SOSP 2067013) at .0014, .0016 Mighells See, e.g., Ex. 50 (SOSP 2068859) at .002–.003 ( ); Ex. 51 (SOSP 1019413) ( ). These documents shed light on the role of SaveOnSP's Quality Assurance team in effecting SaveOnSP's scheme.

In addition, JJHCS understands that Mighells was likely fired from SaveOnSP because of her concerns about signing a gag order that SaveOnSP sought to impose on all employees after a former employee—Mighells's husband—spoke out about SaveOnSP and its practices and sought to assist patients navigating the same. *See, e.g.*, Ex. 52 (Ted Mighells Facebook post); Ex. 53 (SaveOnSP Cease and Desist Letter to Ted Mighells). SaveOnSP's efforts to silence its employees

in this way are an issue in the case, including through other discovery requests. *See, e.g.*, App'x 1, RFP No. 121. Mighells's emails are likely to reflect those efforts.

## B. SaveOnSP Has Not Substantiated Its Objections to Adding Mighells as a Custodian

JJHCS first requested that Mighells be added as a custodian with respect to certain Requests in May. Ex. 54 (May 24, 2024 Ltr. from B. Robinson to M. Nelson) at 3. SaveOnSP refused. Ex. 55 (Aug. 9, 2024 Email from K. Cryan to B. Robinson). Following review of additional discovery, JJHCS requested that SaveOnSP add Mighells as a full custodian on August 22, 2024. See Ex. 56 (Aug. 22, 2024 Ltr. from B. Robinson to M. Nelson). SaveOnSP delayed responding for nearly a month. See Ex. 57 (Sept. 18, 2024 Ltr. from M. Nussbaum to B. Robinson). In its belated response, SaveOnSP does not dispute Mighells's relevance but maintains that adding her would be "duplicative and unduly burdensome." Id. at 3. However, SaveOnSP has not even collected her documents, so SaveOnSP does not know what the associated burden would be. Moreover, SaveOnSP does not offer any explanation (and cannot explain) why Mighells's documents regarding her termination and SaveOnSP's efforts to silence employees more generally would be duplicative. SaveOnSP should thus be compelled to add her as a full custodian.

#### IV. Jenna Quinn

#### A. Jenna Quinn Possesses Relevant and Non-Duplicative Documents

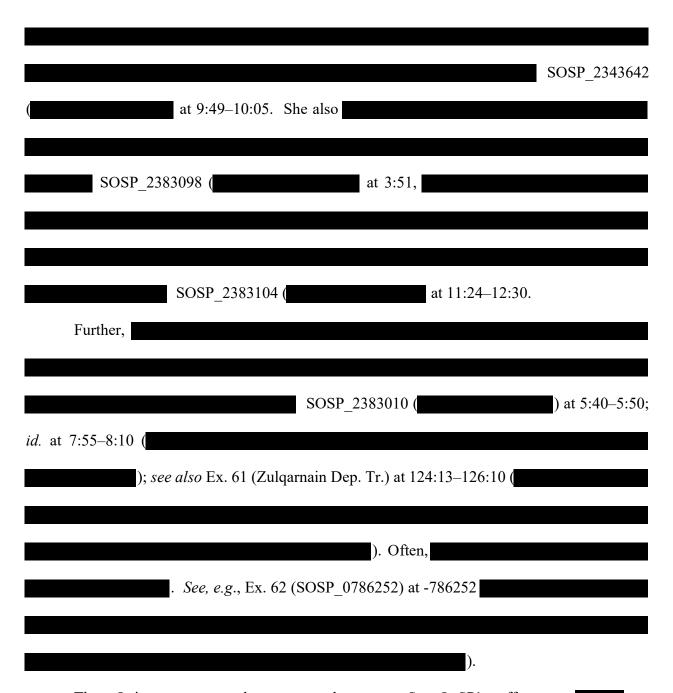
JJHCS seeks Quinn's designation only as a limited custodian<sup>7</sup> on the subject of SaveOnSP's evasion of manufacturers—

<sup>7</sup> JJHCS requests that SaveOnSP be compelled to run over Quinn's custodial files a narrow set of search terms that are designed to capture SaveOnSP's efforts to evade detection by manufacturers.

SOSP\_2383103 ( ) at 5:00–5:50. Quinn, who joined SaveOnSP in early 2019, is a member of SaveOnSP's Billing Department and has served as a Billing Specialist and Billing Services Supervisor.

Quinn was responsible for training Billing Department personnel, and her communications (much like Bartz's to PSRs) reveal the intent of SaveOnSP's business decisions and policies. For example, SaveOnSP has sworn in this litigation . See Ex. 60 (Defendant's Supplemental Responses and Objections to Plaintiffs' Interrogatories), Response to Interrogatory No. 16. But Quinn's statements tell a different story: for precisely this reason. they Specifically, SOSP 2383014 ( ) at 16:25– 16:55. Similarly,

These are the same search terms that the parties agreed would be run over the files of two other SaveOnSP employees, Jessica Johnson and Kelsey Leger, who were the subject of a prior motion and were similarly involved in evasion efforts. *See* Ex. 58 (July 3, 2024 Email from A. Miner to J. Long); Ex. 59 (June 13, 2024 Email from J. Long to M. Nussbaum).



That Quinn possesses documents relevant to SaveOnSP's efforts to manufacturers' detection attempts is plain. Quinn's documents are particularly important because they will reveal the Billing Department's role in those efforts. Billing personnel's evasion efforts focused not only on what SaveOnSP personnel should or should not say to members and

manufacturers but also on the financial and technical questions relating to how manufacturers were detecting members enrolled in SaveOnSP, how those manufacturers modified their copay assistance programs to prevent SaveOnSP and similar companies from siphoning their funds, and what operational changes SaveOnSP should make in response. JJHCS's understanding of these questions is incomplete because the Billing Department is underrepresented among SaveOnSP's custodians. JJHCS is entitled to take further discovery into these tactics from Quinn, given her supervisory role in Billing and the already-produced documents evidencing her participation in those tactics.

#### B. SaveOnSP's Objections Are Unavailing

JJHCS renewed its prior request that SaveOnSP add Quinn as a limited custodian and search her documents for the agreed-to Johnson/Leger search terms targeted to manufacturer evasion efforts in July 2024 (after SaveOnSP mistakenly represented that Quinn, like Bartz, already had been designated as a custodian). *See* Ex. 38 (June 20, 2024 Ltr. from M. Nelson to S. Suri) at 1 & App'x A; Ex. 17 (July 3, 2024 Ltr. from M. Nelson to S. Suri); Ex. 37 (July 19, 2024 Ltr. from S. Suri to M. Nelson). SaveOnSP refuses on the basis that Quinn is "unlikely to have unique, responsive documents and that reviewing th[ose] documents is unduly burdensome and disproportionate." Ex. 63 (Aug. 28, 2024 Email from M. Nussbaum to S. Suri) at 1. SaveOnSP's only support for these objections were undifferentiated hit counts for Quinn and a second important Billing Department employee, Ingrid Vasquez. Those hit counts totaled 4,304 documents. *Id.* SaveOnSP has not revealed what the hit counts are for Quinn alone, though the number will, of course, be lower. Particularly given the targeted nature of the search terms at issue and the importance of the subject matter to the case, fewer than 4,304 documents is not unduly

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 17 of 200 PageID:

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September 26, 2024

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burdensome. See Dkt. No. 305 at 6 (holding that even "5,000 is not a prohibitive number of

documents" where "the documents requested are relevant").

JJHCS therefore requests that Your Honor compel SaveOnSP to (1) designate Leslie

Kauffman, Brandon Bartz, and Paula Mighells as full custodians, requiring SaveOnSP to run all

agreed-upon search terms for the relevant period; and (2) designate Jenna Quinn as a custodian

and apply the parties' previously agreed-upon search terms specific to SaveOnSP's efforts to evade

detection by manufacturers.

Respectfully submitted,

/s/ Jeffrey J. Greenbaum

JEFFREY J. GREENBAUM

cc: All Counsel of Record for SaveOnSP

#### **Appendix 1: Relevant Requests for Production**

RFP No.	Request	Relevant Custodian(s)
5	All documents, including drafts, concerning communications with persons currently enrolled or eligible to enroll in CarePath.	Kauffman, Bartz, Mighells, Quinn
6	All communications between SaveOnSP and JJHCS, as well as all communications SaveOnSP has had relating to SaveOnSP's communications with JJHCS.	Kauffman, Bartz, Mighells, Quinn
7	All communications SaveOnSP has received from persons currently enrolled in CarePath, including patient complaints or inquiries regarding the SaveOnSP Program, and all documents regarding such patient complaints or inquiries.	Kauffman, Bartz, Mighells
8	All communications SaveOnSP has received from persons who (i) refused to enroll in the SaveOnSP Program; (ii) tried to opt out of enrollment in the SaveOnSP Program; or (iii) initially enrolled in the SaveOnSP Program, but later canceled their enrollment, as well as documents regarding such patient communications.	Kauffman, Bartz, Mighells
13	All documents and communications between Accredo and SaveOnSP concerning CarePath, including the terms and conditions of CarePath and the operation of the CarePath copay card.	Kauffman, Bartz, Mighells, Quinn
23	All documents and communications relating to CarePath, including documents and communications concerning (i) drugs for which CarePath assistance is available; (ii) the amount of CarePath copay assistance available for Janssen therapies; (iii) the terms and conditions of CarePath; and (iv) and corresponding or resulting changes to the SaveOnSP Program based on the "most lucrative copay assistance programs."	Kauffman, Bartz, Mighells, Quinn
24	All documents concerning SOSP's offer of \$0 copayments to patients, including any communications relating to whether to cease offering \$0 co-payments for one or more pharmaceuticals.	Kauffman, Bartz, Mighells, Quinn

RFP No.	Request	Relevant Custodian(s)
25	All document concerning SaveOnSP call center locations, training materials, and call scripts used in communications regarding the SaveOnSP program with patients.	Kauffman, Bartz, Mighells, Quinn
28	All documents and communications concerning "the inflated co-pay" or increase to, SaveOnSP patients' copay or out-of-pocket obligations.	Kauffman, Bartz, Mighells, Quinn
30	All documents reflecting communications with pharmacies regarding the "[p]oint of sale claim rejection" to "facilitate warm transfer of member to SaveOnSP."	Kauffman, Bartz, Mighells
32	All documents and communications concerning SaveOnSP's methods to maintain or increase "savings" to health plan sponsors through manufacturer copay assistance programs.	Quinn
33	All documents and communications SaveOnSP has received reflecting complaints, concerns, or inquiries about SaveOnSP's operations, services, and/or business model, including without limitation from patients, patient advocacy groups, health plan sponsors, governmental agencies, Express Scripts and Accredo.	Kauffman, Bartz, Mighells, Quinn
34	All documents and communications concerning SaveOnSP's coverage for drugs after the exhaustion of available manufacturer's copay assistance.	Kauffman, Bartz, Mighells, Quinn
51	All documents and communications relating to steps taking by SaveOnSP, or any Entity associated with SaveOnSP, to determine the remaining CarePath funds available to a given Plan Member, including the submission of a false prescription claim charged to CarePath for the purpose of determining the remaining CarePath funds available to a given Plan Member.	Quinn
53	All communications SaveOnSP has had with Plan Members currently or previously enrolled in CarePath through its call centers, including, but not limited to, recordings of calls.	Kauffman, Bartz, Mighells

RFP No.	Request	Relevant Custodian(s)
54	All documents and communications from or to Plan Members about the SaveOnSP Program, including, but not limited to, any complaints or inquiries regarding the SaveOnSP Program, and all documents regarding such patient complaints or inquiries, including, but not limited to, recordings of calls.	Kauffman, Bartz, Mighells
73	All documents and communications concerning "Reject 73," including documents and communications related to "Reject 73 monitoring" and related processes to "[o]verride" the code.	Kauffman, Bartz, Mighells
77	Documents sufficient to show the identity of any patient whose claim was put on hold or rejected, temporarily or otherwise, or who was otherwise denied access to their prescribed medication, because that patient was not enrolled in the SaveOnSP Program.	Kauffman, Bartz, Mighells
78	Documents sufficient to show the identity of any patient whose claim was put on hold or rejected because that patient was not enrolled in the SaveOnSP Program, but whose claim was later permitted to proceed after that patient enrolled in the SaveOnSP Program.	Kauffman, Bartz, Mighells
79	All documents relating to any attempts by SaveOnSP to evade or avoid detection of the SaveOnSP Program by drug manufacturers, including but not limited to the creation of "one time" or temporary copay coupons or credit cards for the purpose of paying a patient's out-of-pocket responsibility.	Kauffman, Bartz, Mighells, Quinn
80	All documents and communications concerning "SOSP Temp Passthrough," "pass throughs," or "pass thrus, including but not limited to documents and communications related to activating a pass through for a patient's claim, and efforts to deactivate or reset a pass through.	Kauffman, Bartz, Mighells
81	All documents and communications from May 4, 2022 through the present relating to SaveOnSP's communications with Payors, Plan Members, and healthcare providers concerning the Action.	Kauffman, Bartz, Mighells

RFP No.	Request	Relevant Custodian(s)
94	All documents and communications, including any recordings, of any SaveOnSP "huddle," meeting, training, or any other presentation.	Kauffman, Bartz, Mighells, Quinn
99	From April 1, 2016 through the present, all Documents or Communications regarding any actual or contemplated changes to SaveOnSP's program or offerings to become effective January 1, 2024 that affect patients enrolled in a High Deductible Health Plan.	Kauffman, Bartz, Mighells
102	From April 1, 2016 through the present, all Documents or Communications concerning any changes to SaveOnSP's policies, programs, or offerings with the intent or effect of increasing SaveOnSP-affiliated patients' copay or out-of-pocket obligations.	Kauffman, Bartz, Mighells, Quinn
103	From January 1, 2022 to the present, all Documents or Communications related to SaveOnSP's claims that patients' "final cost will be as low as \$0," see, e.g., SOSP_0167738, including all Documents or Communications regarding the change in SaveOnSP's materials representing that patients' "final cost will be reduced."	Kauffman, Bartz, Mighells, Quinn
119	For the period March 1, 2023 to the present, all Documents and Communications relating to every reason why SaveOnSP implemented the May 2023 "Updated Confidentiality and Nondisclosure Policy" referenced in SaveOnSP's response to JJHCS's Interrogatory No. 18. See Apr. 10, 2024 Special Master Memorandum Order at 7.	Kauffman, Bartz, Mighells
120	For the period May 1, 2022 to the present, all Documents and Communications related to any actual or contemplated efforts to prevent employees from discussing patient harm associated with the SaveOnSP Program, or JJHCS's claims or allegations regarding SaveOnSP at issue in this Action, outside of SaveOnSP. See Apr. 3, 2024 Tr. at 119:19–25.	Kauffman, Bartz, Mighells

RFP No.	Request	Relevant Custodian(s)
121	For the period May 1, 2022 to the present, all Documents and Communications concerning any contemplated or actual efforts to discipline, fire, sue, retaliate against, or take any other adverse action against Theodore Mighells or Paula Mighells, including but not limited to all draft or final versions of the "two letters" sent to Mr. Mighells related to his confidentiality obligations. <i>See</i> Apr. 3, 2024 Tr. at 111:15–25.	Kauffman, Bartz, Mighells
131	All documents and communications concerning SaveOnSP's decision to stop using the term "program" to describe itself or the SaveOnSP Services.	Kauffman, Bartz, Mighells, Quinn
132	All documents and communications concerning SaveOnSP's decision to stop using the term "enroll" to describe the process by which Plan Members begin participating in the SaveOnSP Program and/or access the SaveOnSP Services.	Kauffman, Bartz, Mighells, Quinn

## MOTION TO COMPEL ADDITIONAL CUSTODIANS

### **EXHIBITS 1-16**

### FILED UNDER PERMANENT SEAL

# Exhibit 17

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Selendy | Gay

Selendy Gay PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000

Meredith Nelson Associate 212.390.9069 mnelson@selendygay.com

July 3, 2024

#### Via E-mail

Saniya Suri Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 ssuri@pbwt.com

Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC (Case No. 2:22-cv-02632-JKS-CLW)

Dear Saniya,

We write in response to your June 25, 2024 letter regarding SaveOn's document production and custodians.

*First*, you ask about the custodian list included in the Appendix to our June 20, 2024 letter, and specifically about the note that we have produced documents from Jenna Ordonez under her maiden name of Jenna Quinn. This footnote contains an error. The footnote should have reflected that we have produced documents from Jenna Ordonez under her maiden name, Jenna Elliott.

Second, you request that we share the search parameters SaveOn has applied to Brandon Bartz, Hailey Kramer, Sandy Mozrall, Jenna Quinn, Lauren Pacillo, Shannon Sommer, and Ingrid Vasquez. These individuals were incorrectly included on the list of custodians SaveOn provided on June 20. A corrected version of Exhibit A is attached to this letter.

Third, you ask that we confirm the time period SaveOn intends to use and the search terms that it plans to run over the CPAQuestions@saveonsp.com email address. We confirm that we will review documents from the April 1, 2016 to November 7, 2023 time period. We intend to run all standard search terms the parties have negotiated for over this email address. As a courtesy, those search terms are listed in Exhibit B to this letter.

We reserve all rights.

Best,

/s/ Meredith Nelson

Meredith Nelson Associate

#### **Exhibit A**

Alissa Langley Rob Saeli

Ron Krawczyk Amanda Larsen

Andrea Waker Sarah Kancar

Ayesha Zulqarnain Sarah Segerson

Brianna Reed **Ted Mighells** 

Claudia Dunbar

Danielle Wagner

Darcie Falsioni

Dave Chelus

**Emily Reckinger** 

Florencio Calderon

Jenna Benkelman

Jenna Ordonez<sup>1</sup>

Jennifer Menz

Jessica Johnson

Jill Stearns

Jillian Vincheski

Jody Miller

Kelsey Leger

Laura McClung

Mariah DuRant

Melanie Jerred

Michael Heinrichs

Michelle Tabone

**Nick Morrissey** 

Nicole Haas

<sup>&</sup>lt;sup>1</sup> We have also produced documents from Jenna Ordonez under her maiden name, Jenna Elliott.

#### **Exhibit B**

- "Affordable Care Act" OR ACA
- "DARZALEX FASPRO" OR DARZALEX OR daratumumab OR hyaluronidase\*
- "First View" AND (credit w/2 card)
- "First View" w/10 card
- "Intergovernmental Personnel Benefit Cooperative" OR IPBC OR (Rachel W/2 Harmon) OR rharmon@expressscripts.com OR ((presentation OR training OR video) W/5 (ESI OR "Express Scripts"))
- "Johnson & Johnson" OR "Johnson and Johnson"
- "Lash Group"
- "open enrollment" OR ((summar\* OR term) W/30 (program\* OR plan\* OR benefit\* OR coverage\* OR coinsurance OR deductible OR OOP OR "out-of-pocket"))
- "SaveOnSP Program Impacted"
- "Summary of Benefits"
- "Summary Plan"
- "zero cost share" OR "\$0 cost share"
- ("non-med\* switch\*" OR "nonmed\* switch\*" OR ((patient OR non-med\* OR nonmed\*) W/15 switch\*))
- (("transfer\*" OR reject\* OR POS OR "point of sale" OR step edit\*) W/15 pharm\*) OR "Error Code 73" OR ((drug\* OR med\* OR fill\*) W/15 (cover\*))
- ((essential or "non-essential" or nonessential) W/10 (benefit\*)) or EHB\* OR NEHB\*
- ((patient\* OR chang\* OR mov\* OR switch\*) W/30 (new W/5 (drug\* OR med\* OR brand\*)))
- ((SaveOnSP OR SaveOn OR "Save On SP" OR "Save On" OR SOSP) w/15 ("Johnson & Johnson" OR "Johnson and Johnson" OR J&J OR JnJ OR JJHCS OR Janssen)) w/5 (revenue OR sales OR profits OR "return on investment" OR "ROI")
- ("don't" OR "not" OR allowed OR never OR permit OR "can't" OR cannot) W/5 (mention OR disclose OR say OR inform\* OR divulge) W/15 (SaveOn OR SaveOnSP OR SOSP OR "Save On" OR manufacturer\* OR mfgr\* OR program)
- (Accredo OR "accredo.com") W/30 (agr\* OR contract OR memor\* OR fee\* OR shar\* OR relat\*)
- (adher\* OR complian\* OR comply\* OR discontinue\*) W/10 (trend\* OR rate\* or stat\*)

- (adherence W/5 trend\*)
- (avoid\* OR conceal\*) AND (co-insurance OR variable OR copay OR "co-
- (Business w/15 plan) OR "Business plan"
- (chang\* or edit\*) W/25 website
- (copay\* OR co-pay\* OR coins\* OR co-ins\* OR "cost share" OR "specialty med\*" OR "specialty drug\*" OR biolog\* OR infus\*) W/15 (transfer\* OR reduc\* OR saving\*)
- (copay\* OR co-pay\* OR coins\* OR co-ins\* OR "cost share") W/15 (zero OR "no cost" OR "free of charge")
- (copay\* OR co-pay\* OR coins\* OR co-ins\* OR "cost share") W/15 (zero OR o OR \$0 OR "no cost" OR "free of charge")
- (copay\* OR co-pay\* OR coins\* OR co-ins\* OR "out of pocket" OR OOP OR bucket\* OR "ingredient cost") W/30 (infla\* OR increase)
- (counter\* OR strateg\* OR "course correct" OR "bypass" OR respon\* OR solution OR solv\*) W/25 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- (counter\* OR strateg\* OR "course correct" OR "bypass" OR respon\* OR solution OR solv\*) W/25 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi OR Novartis)
- (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) AND (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) w/15 manufacturer\*
- (detect\* OR evade\* OR hide OR conceal\*) AND (co-insurance OR coinsurance OR variable)
- (ESI OR "Express Scripts" OR Evernorth) W/15 (fee\* OR (master W/2 agreement) OR assistance OR "savings card" OR "copay card" OR "co-pay card" OR enroll\* OR accumulat\* OR maximiz\*)
- (exhaust\* OR drain\* OR complain\*) W/15 (co-pay OR copay\* OR support\* or cover\*)
- (inc\* W/10 (save\* OR saving\*)) W/15 (manuf\* OR assist\*)
- (inclu\* OR add\* OR remov\* OR Structure) W/10 (benefit\* OR "drug list\*")
- (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi OR Novartis) w/25 (maximizer\* OR accumulator\* OR reduce\* OR modif\* OR change\*)
- (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi) w/25 (maximizer\* OR accumulator\* OR reduce\* OR modif\* OR change\*)

- (patient\* OR member\*) W/5 (adher\* OR complian\* OR comply\* OR discontinu\*)
- (therap\* or drug\* OR medication) w/15 (adhere\* OR continu\* OR discontinu\*)
- (therap\* OR drug\* OR medication) w/15 (transition OR "same class" OR "same category")
- @notionpartners.com
- Accredo W/15 (transfer\* OR assistance OR "savings card" OR "copay card" OR "co-pay card" OR enroll\* OR accumulat\* OR maximiz\*)
- analy\* OR "white paper\*" OR "research" OR report\* OR publication\* OR review\* OR article\* OR study OR studies W/15 "specialty med\*" OR "specialty drug\*" OR biolog\* OR infus\* or accumul\* OR maximizer\* OR copay\* OR co-pay\* OR coins\* OR co-ins\*
- avoid\* w/10 coinsurance
- BALVERSA OR erdafitinib
- benchmark\* W/10 (plan OR state OR EHB OR essential\* OR NEHB or non-essential\* OR non-essential\*)
- bi-weekly W/2 (call\* OR meeting\*)
- care W/2 path
- CarePath OR Carpath OR Carepth
- close\* W/15 (business OR customer\*)
- Cobicistat
- Darunavir
- EJR AND emilyjreckinger@gmail.com
- email W/10 template
- Emitricitabine
- ERLEADA OR apalutamide
- ESI W/10 fees
- FirstView AND (credit w/2 card)
- FirstView w/10 card
- https://saveonsp.com
- https://www.saveonsp.com\* OR www.saveonsp.com\* OR "reduce this exorbitant cost" OR "we offer an innovative specialty solution" OR "is committed to making expensive medications more affordable for companies" OR "modifying their plan design" OR "how will our plan see savings generated"
- IMBRUVICA OR ibrutinib
- its.jnj.com
- J&J OR JnJ

- Janssen OR Jannsen OR Jannssen
- JJHCS OR JHCS OR JJCHS OR JJHS
- manufacturer\* W/10 (maximizer\* OR accumulator\*)
- non-med\* switch\* OR "nonmed\* switch\*" OR ((patient OR non-med\* OR nonmed\*) W/15 switch\*) OR "switch rationale" OR "switch card" OR "economic switch\*" OR ((force\* or mandate\*) w/5 switch\*)
- **OPSUMIT OR macitentan**
- Passthrough OR "pass through\*" OR "pass thru" OR passthru OR passthrus
- Premera W/15 (article OR alert\* OR news\*)
- Prezcobix
- Project Recapture OR "Rescue Study" OR "adherence data"
- questex
- Reject\* w/2 73
- REMICADE OR infliximab
- RYBREVANT OR amivantamab\*
- SIMPONI OR golimumab
- STELARA OR ustekinumab
- strategic steering committee OR "steering committee" OR (strateg\* w/10 (monthly OR meet\*))
- strategy plan OR (strategy W/15 plan) OR "monthly plan" OR (monthly W/15 plan) OR "transition plan" OR (growth W/15 plan)
- structure\* W/4 (benefit\* OR "drug list\*")
- Symtuza
- Tenofovir Alafenamide
- TRACLEER OR bosentan
- TREMFYA OR guselkumab
- TrialCard OR "Trial Card"
- UPTRAVI OR selexipag
- Ventavis OR iloprost
- ZYTIGA OR abiraterone
- EDURANT OR rilpivirine
- **INTELENCE OR etravirine**
- PONVORY OR ponesimod
- (High Deductible Health Plan OR HDHP) w/30 (copay\* OR co-pay\* OR OOP OR MOOP OR "out-of-pocket" OR "out of pocket" OR deductible\* OR co-ins\* or coins\* OR "patient cost\*" OR "cost share" OR "patient obligation\*" OR "financial obligation\*" OR "final cost")

- (increase\* OR raise\* or infla\*) w/30 (copay\* OR co-pay\* OR OOP OR MOOP OR "out-of-pocket" OR "out of pocket" OR deductible\* OR co-ins\* or coins\* OR "patient cost\*" OR "cost share" OR "patient obligation\*" OR "financial obligation\*" OR "final cost")
- (reduc\* OR lower\* OR "as low as" OR decreas\* OR zero OR "no cost" OR "free of charge" OR "\$0") w/20 (copay\* OR co-pay\* OR OOP OR "out-of-pocket" OR "out of pocket" OR "patient cost\*" OR "final cost")

# Exhibit 18

Document 491 53427

Filed 01/07/25

Page 34 of 200 PageID:

Selendy Gay

Selendy Gay PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000

Elizabeth H. Snow Associate 212.390.9330 esnow@selendygay.com

February 20, 2024

#### Via E-mail

Sara Arrow Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 sarrow@pbwt.com

Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC (Case No. 2:22-cv-02632-JKS-CLW)

Dear Sara,

We write in response to your February 9, 2024 letter regarding Chatter messages.

First, as we have explained, SaveOn accurately represented that it "preserved all communications on the 'Chatter' platform and will produce relevant communications therefrom." May 12, 2023 Ltr. from A. Dunlap to H. Sandick at 1. To the extent that you misunderstood us to represent that SaveOn had preserved all communications ever made on the Chatter platform, we have now clarified that point several times. As we have explained, SaveOn transferred from one Salesforce platform to another in June 2021, eleven months prior to this litigation, as part of which Chatter messages prior to that date were not retained. Any pre-June 2021 Chatter messages in SaveOn's possession exist solely in the "Daily Digest" emails that SaveOn has produced.

Second, you accuse us of a "lie" that SaveOn's prior productions contained all responsive Chatter messages from after June 2021, because we agreed to produce three Chatter messages that you said were "missing" from those prior productions. Not so. We included those messages in our prior productions as part of SaveOn's "Daily Digests," as you note in your January 26 Letter; see SOSP\_0710014 (Daily Digest from October 7, 2021); SOSP\_0771243 (Daily Digest from May 12, 2022); SOSP\_0778531 (Daily Digest from June 9, 2022). We simply agreed to produce them again in a different format at your request.

Sara Arrow February 20, 2024

*Third*, you ask us to investigate whether SaveOn has not produced any relevant Chatter messages. We will review SaveOn's Chatter messages—again—and will produce any additional relevant, non-privileged messages.

Finally, you say that SaveOn appears to have produced only standalone Chatter messages and not same-day surrounding messages and you ask us to produce the latter. The majority of Chatter messages produced in SOSP\_1004931 are either the sole message sent in the conversation that day or cover distinct topics from other messages sent in the same conversation that day. To avoid a dispute, however, SaveOn will produce same-day Chatter messages between the same senders and recipients for all responsive standalone Chatter messages.

We reserve all rights and are available to meet and confer.

Best,

/s/ Elizabeth H. Snow

Elizabeth H. Snow Associate

# Exhibit 19

Selendy Gay Elsberg PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000

\selendy gay elsberg

Andrew R. Dunlap Partner 212.390.9005 adunlap@selendygay.com

March 29, 2023

### Via E-mail

Harry Sandick Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 hsandick@pbwt.com

Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC (Case No. 2:22-cv-02632-JMV-CLW)

Dear Harry,

We write in response to your March 9, 2023 letter regarding SaveOnSP's organizational charts, proposed custodians, and proposed collection and search protocol, and to your March 22, 2023 letter regarding potential additional search terms.

# I. Organization Charts

You say that JJHCS was unable to read several of the organization charts in our February 22, 2023 production. We produced the documents as they were collected and in accordance with the November 22, 2022 ESI Protocol; we are working to see if it is possible to re-image them. We will produce any re-imaged documents as soon as we are able.

You note that we have not produced organization charts covering the period of January 1, 2017 to January 29, 2018. Our searches have not identified any organization charts for this period; if we identify any such charts, we will produce them.

#### II. Custodians

You ask if we have conducted a reasonable investigation of whether SaveOnSP's custodian Danielle Wagner would have been included on relevant communications received by Ted Mighells and Sarah Segerson, both of whom JJHCS requested as additional custodians. We have. Based on that investigation, it is unlikely that Mighells received unique relevant communications not also received by Wagner. There is some chance that Segerson received unique relevant communications; we will add her as a custodian.

You ask that we add three more custodians (Gary Meyn, Jennifer Menz, and Mariah DuRant) in addition to the four we agreed to add in our March 3, 2023 letter (Nicole Haas, Sarah Kancar, Brianna Reed, Laura McClung).

We will not add Gary Meyn as a custodian. Meyn stopped working for SaveOnSP on March 1, 2021. After a reasonable investigation, we do not believe that SaveOnSP retained Meyn's files.

We will also not add Jennifer Menz or Mariah DuRant as custodians. After a reasonable investigation, we believe they are unlikely to possess unique relevant documents.

#### **Search Methodology** III.

You ask if we will add four search terms proposed by JJHCS in its February 17, 2023 letter that we accepted in our March 3, 2023 letter (but inadvertently reproduced with minor variations) exactly as requested by JJHCS. We confirm we will run these searches exactly as requested by JJHCS, as follows:

- ((essential or "non-essential" or nonessential) W/10 (benefit\*)) or EHB\* OR NEHB\*
- "non-med\* switch\*" OR "nonmed\* switch\*" OR ((patient OR non-med\* OR nonmed\*) W/15 switch\*) OR ((patient\* OR chang\* OR mov\* OR switch\*) W/30 (new W/5 (drug\* OR med\* OR brand\*)))
- "open enrollment" OR ((summar\* OR term) W/30 (program\* OR plan\* OR benefit\* OR coverage\* OR coinsurance OR deductible OR OOP OR "out-of-pocket"))
- "Intergovernmental Personnel Benefit Cooperative" OR IPBC OR (Rachel W/2 Harmon) OR rharmon@express-scripts.com OR ((presentation OR training OR video) W/5 (ESI OR "Express Scripts"))

You ask us to use seven additional or modified search terms (two requested in your February 17, 2023 letter and five in your March 9, 2023 letter). We will add the following terms:

- (("transfer\*" OR reject\* OR POS OR "point of sale" OR step edit\*) W/15 pharm\*) OR "Error Code 73" OR ((drug\* OR med\* OR fill\*) W/15 (cover\*))
- (adher\* OR complian\* OR comply\* OR discontinue\*) W/10 (trend\* OR rate\* or stat\*)
- Accredo W/15 (transfer\* OR assistance OR "savings card" OR "copay card" OR "copay card" OR enroll\* OR accumulat\* OR maximiz\*)
- https://www.saveonsp.com\* OR www.saveonsp.com\* OR "reduce this exorbitant cost" OR "we offer an innovative specialty solution" OR "is committed to making

expensive medications more affordable for companies" OR "modifying their plan design" OR "how will our plan see savings generated"

We will not add the remaining terms, which generate an unduly burdensome number of additional unique documents:

Search Proposed by JJHCS	Unique Additional Documents
((infla* OR incr* OR 1,250 OR 1250 OR 1,666 OR 1666 OR 2,000 OR 2000 OR 5000 OR 5,000 OR 30%) W/30 (copay* OR co-pay* OR coins* OR co-ins* OR "out of pocket" OR OOP OR bucket*)) OR "ingredient cost"	22,634
(ESI OR "Express Scripts" OR Evernorth) W/15 (fee* OR ((master W/2 agreement) OR assistance OR "copay card" OR "co-pay card" OR "savings card" OR enroll* OR accumulat* OR maximiz* OR @express-scripts.com))	221,797
exhaust* OR 'us* up" OR drain* OR complain* OR "r*n out" W/15 co-pay OR copay* OR support* OR cover*	43,425

You ask (in your March 22, 2023 letter) if we intend to add any search terms or custodians following the parties' resolution of several outstanding RFP disputes. We will not add additional custodians. We will add the following search terms, which are names of Janssen drugs not yet represented in our search terms:

- Prezcobix
- Symtuza
- Valchlor

A full list of agreed custodians and search terms is attached as Appendix 1. These search parameters are more than sufficient to identify documents potentially responsive to JJHCS's requests. All told, using these parameters produces a total of almost 600,000 unique custodial documents for review.

#### IV. **Non-Custodial Sources**

You ask us to confirm that we will produce custodial documents in response to JJHCS's RFP No. 31. We will.

#### V. **Call Center Recordings and Transcripts**

You ask about our collection and production of call center records.



We intend to proceed as follows. We will search Salesforce records using the names of members of SaveOnSP-advised plans who use a Janssen drug. We will produce the relevant portions of the Salesforce records for those plan members. We invite you to use these records to identify a reasonable number of calls for which you would like us to attempt to identify and produce the associated audio recording and/or transcript. We will attempt to identify those recordings or transcripts using the dates and times recorded in Salesforce of when those members spoke with SaveOnSP. We will then export from Chronicall and Calabrio the audio recordings and/or transcripts in those systems that match those dates and times and review them for production.

We reserve all rights and are available to meet and confer.

Best,

/s/ Andrew R. Dunlap

Andrew R. Dunlap Partner

# Appendix 1

## Agreed custodians as of March 29, 2023:

- Jody Miller
- Claudia Dunbar
- Ron Krawczyk
- Robert Saeli
- Nick Morrissey
- Jill Stearns
- Florencio Calderon
- Jenna Ordonez
- Amanda Larsen
- Emily Reckinger
- Jenna Benkelman
- Dave Chelus
- Alissa Langley
- Melanie Jerred
- Danielle Wagner
- Michelle Tabone
- Michael Heinrichs
- Nicole Haas
- Sarah Kancar
- Laura McClung
- Brianna Reed
- Sarah Segerson

## Agreed search terms as of March 29, 2023:

- adherence W/5 trend\*
- "Affordable Care Act" OR ACA
- analy\* OR "white paper\*" OR "research" OR report\* OR publication\* OR review\* OR article\* OR study OR studies W/15 "specialty med\*" OR "specialty drug\*" OR biolog\* OR infus\* or accumul\* OR maximizer\* OR copay\* OR co-pay\* OR coins\* OR co-ins\*
- BALVERSA OR erdafitinib
- benchmark\* /10 (plan OR state OR EHB OR essential\* OR NEHB or non-essential\* OR non-essential\*)
- CarePath OR Carpath OR Carepth
- care W/2 path
- (chang\* or edit\*) W/25 website
- "DARZALEX FASPRO" OR DARZALEX OR daratumumab OR hyaluronidase\*
- email W/10 template

- ERLEADA OR apalutamide
- ESI W/10 fees
- ((essential or "non-essential" or nonessential) W/10 (benefit\*)) or EHB\* OR NEHB\*
- "https://saveonsp.com"
- IMBRUVICA OR ibrutinib
- (inc\* W/10 (save\* OR saving\*) W/15 manuf\* OR assist\*
- (inclu\* OR add\* OR remov\* OR Structure) W/10 (benefit\* OR "drug list\*")
- "Intergovernmental Personnel Benefit Cooperative" OR IPBC OR (Rachel W/2 Harmon) OR rharmon@expressscripts.com OR ((presentation OR training OR video) W/5 (ESI OR "Express Scripts"))
- its.jnj.com
- J&J OR JnJ
- Janssen OR Jannsen OR Jannssen
- JJHCS OR JHCS OR JJCHS OR JJHS
- "Johnson & Johnson" OR "Johnson and Johnson"
- "Lash Group"
- "non-med\* switch\*" OR "nonmed\* switch\*" OR ((patient OR non-med\* OR nonmed\*) W/15 switch\*) OR ((patient\* OR chang\* OR mov\* OR switch\*) W/30 (new W/5 (drug\* OR med\* OR brand\*)))
- "open enrollment" OR ((summar\* OR term) W/30 (program\* OR plan\* OR benefit\* OR coverage\* OR coinsurance OR deductible OR OOP OR "out-ofpocket"))
- OPSUMIT OR macitentan
- (patient\* OR member\*) W/5 (adher\* OR complian\* OR comply\* OR discontinu\*)
- REMICADE OR infliximab
- RYBREVANT OR amivantamab\*
- SIMPONI OR golimumab
- STELARA OR ustekinumab
- structure\* W/4 (benefit\* OR "drug list\*")
- "Summary of Benefits"
- "Summary Plan"
- TRACLEER OR bosentan
- TREMFYA OR guselkumab
- TrialCard OR "Trial Card"
- UPTRAVI OR selexipag
- Ventavis OR iloprost
- ZYTIGA OR abiraterone
- (("transfer\*" OR reject\* OR POS OR "point of sale" OR step edit\*) W/15 pharm\*) OR "Error Code 73" OR ((drug\* OR med\* OR fill\*) W/15 (cover\*))
- (adher\* OR complian\* OR comply\* OR discontinue\*) W/10 (trend\* OR rate\* or stat\*)

- Accredo W/15 (transfer\* OR assistance OR "savings card" OR "copay card" OR "co-pay card" OR enroll\* OR accumulat\* OR maximiz\*)
- https://www.saveonsp.com\* OR www.saveonsp.com\* OR "reduce this exorbitant cost" OR "we offer an innovative specialty solution" OR "is committed to making expensive medications more affordable for companies" OR "modifying their plan design" OR "how will our plan see savings generated"
- Prezcobix
- Symtuza
- Valchlor

www.pbwt.com



Bonita L. Robinson June 28, 2024 (212) 336-2554

### By Email

Meredith Nelson, Esq. Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104

> Apparent Deficiencies in SaveOnSP's Document Productions Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC, Case No. 2:22-cv-02632 (JKS) (CLW)

Dear Meredith:

We write regarding several apparent deficiencies in SaveOnSP's productions to date, and to request that SaveOnSP designate Leslie Kauffman as a document custodian.

First, SaveOnSP has produced several documents that expressly refer to e-mails or other communications that SaveOnSP has not produced, but that plainly are relevant to SaveOnSP's efforts to evade or avoid detection by drug manufacturers and are thus responsive to JJHCS's requests for production. See JJHCS No. 79 (seeking "All documents relating to any attempts by SaveOnSP to evade or avoid detection of the SaveOnSP Program by drug manufacturers"). For example:

SaveOnSP has produced individual messages comprising a Teams conversation in which See SOSP\_1032197; SOSP\_2056606; SOSP 2056608; SOSP 2056610; SOSP 2056613; SOSP 2056617; SOSP 2056619. The conversation includes a message from SOSP 2056631. We have not found the email from in SaveOnSP's productions to date. Please produce this email and all related documents and communications. If the email has already been produced, please identify it by Bates number.

Meredith Nelson, Esq. June 28, 2024 Page 2

• SaveOnSP has produced Teams messages from

SOSP\_2158575;
SOSP 2158587. Please confirm that you will produce all calls that Ms. Zulqarnain

These call recordings are squarely responsive to JJHCS's RFP No. 79, and, to the extent the calls were with JJHCS, are also responsive to at least JJHCS's RFP Nos. 6 and 114.2

Second, these materials also demonstrate that SaveOnSP employee Leslie Kauffman is key to central issues in this case—and in particular, played a central role in SaveOnSP's efforts to evade detection by drug manufacturers—and must be added as a custodian. For example,

SOSP 1034492.

SOSP 1034493. Similarly.

SOSP\_0786717. However, SaveOnSP has not made Ms. Kauffmann a custodian, and we have not found any emails or messages in SaveOnSP's productions to date. Please confirm that you will add Ms. Kauffmann as a custodian and produce all such emails and messages to Ms. Kauffman and all related documents and communications relating to those emails and messages. If these communications have already been produced, please identify them by Bates number.

Third, SaveOnSP has produced several documents

See SOSP 1346903

; see also, e.g., SOSP\_1035742;

SOSP 1037895; SOSP 1066393. Please produce all documents and communications regarding training material, or manufacturer

<sup>1</sup> As SaveOnSP is aware, JJHCS has served a request for production specifically concerning these recordings. *See* JJHCS RFP No. 130. However, the recordings should have been produced in connection with JJHCS's prior requests and JJHCS requests prompt production of the same.

<sup>&</sup>lt;sup>2</sup> JJHCS understands that at present, SaveOnSP refuses to search for or produce documents in response to RFP No. 114 on the ground that the Request is duplicative of RFP Nos. 6 and 79. JJHCS reserves all rights with respect to RFP No. 114, including its right to move to compel production in response to this request.

Meredith Nelson, Esq. June 28, 2024 Page 3

terms and conditions, including participant lists, associated emails, agendas, meeting minutes, and calendar invitations.

We request a response by July 9, 2024.

Very truly yours,

/s/ Bonita Robinson Bonita L. Robinson

www.pbwt.com



August 5, 2024

Bonita L. Robinson (212) 336-2554

## By Email

Meredith Nelson, Esq. Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104

Re: Addition of Leslie Kauffman as a Custodian

Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC,

Case No. 2:22-cv-02632 (JKS) (CLW)

Dear Meredith:

We write in response to your August 1, 2024 letter and in furtherance of our June 28, 2024, July 18, 2024, and July 25, 2024 correspondence requesting that SaveOnSP add Leslie Kauffman as a custodian.

As we have explained in our prior correspondence, SaveOnSP's productions to date make clear that Ms. Kauffman is central to multiple relevant issues in this litigation. Her custodial files are likely to contain evidence—including evidence unlikely to be captured by existing custodians—of SaveOnSP's long-running efforts to track and evade manufacturer terms and conditions and of the harm that SaveOnSP's scheme caused patients. *See* June 28, 2024 Letter from B. Robinson to M. Nelson at 2; July 18, 2024 Email from J. Long to M. Nussbaum; July 25, 2024 Letter from B. Robinson to M. Nelson at 1–2.

You have not disputed any of these points on the merits, nor otherwise explained why you refuse to add Ms. Kauffman as a full custodian. *See generally* July 19, 2024 Letter from M. Nelson to B. Robinson; August 1, 2024 Letter from M. Nelson to B. Robinson. Instead, gesturing to a compromise proposal we offered by which JJHCS would add Joseph Incelli as a custodian if SaveOnSP added Ms. Kauffman, *see* July 18, 2024 E-mail from J. Long to M. Nussbaum, you write that SaveOnSP will "provide a narrowed set of search terms for Incelli" if we "provide a narrowed proposal for Ms. Kauffman." August 1, 2024 Letter from M. Nelson to B. Robinson. To be clear: we offered our July 18, 2024 compromise only in an effort to avoid unnecessary and protracted negotiations over Ms. Kauffman—whose propriety as a full custodian could not be more plain, and whom SaveOnSP should have identified and added of its own accord long ago—after you ignored our request for her addition for three weeks. Our offer was not an invitation to negotiate any "narrowed proposal," and we will not agree to any such proposal. Please

Meredith Nelson, Esq. August 5, 2024 Page 2

confirm by Thursday, August 8 that you will add Ms. Kauffman as a full custodian. Otherwise, we will file a motion for her addition.

Very truly yours,

/s/ Bonita Robinson Bonita L. Robinson

Case 2:22-cv-02632-CCC-CLW

Document 491 53446

Filed 01/07/25

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Selendy|Gay

Selendy Gay PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000

Meredith Nelson Associate 212.390.9069 mnelson@selendygay.com

July 19, 2024

### Via E-mail

Bonita L. Robinson Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 brobinson@pbwt.com

Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC (Case No. 2:22-cv-02632-JKS-CLW)

Dear Bonnie,

We write in response to your June 28, 2024 letter concerning alleged deficiencies in SaveOn's productions, your July 17, 2024 letter concerning call recordings allegedly made by Ayesha Zulqarnain, and your colleague's July 18, 2024 email concerning J&J's offer to add Joseph Incelli as a custodian in exchange for SaveOnSP's agreement to add Leslie Kauffman as a custodian.

First, you state in your June 28, 2024 letter that SaveOn "has produced several documents that expressly refer to e-mails or other communications that SaveOnSP has not produced." You then point to one such Teams message, in which . We have reviewed the email exchange between \_\_\_\_\_\_ from that date. It is not responsive to any of J&J's Requests for Production, nor is it relevant to any of the issues in the case. SaveOn declines to produce it.

Second, in your July 17, 2024 letter, you disagree with our position that

pointing us to a subsequent message at SOSP\_2158587. We reviewed that message as part of our investigation, and it does not change our understanding. This dispute is moot, however, because—as we told you in our July 15 letter—SaveOn has produced and will continue to produce recordings in its possession, custody, and control responsive to JJHCS's RFP Nos. 6 and 79. That includes recorded calls from Zulgarnain's personal folders saved in SaveOn's shared drives, which we

Page 54 of 200 PageID:

understand to be the only location where she stored any recordings of calls with manufacturers.

Third, in your June 28, 2024 letter you ask that SaveOn add Leslie Kauffman as a custodian and state that she "played a central role in SaveOnSP's efforts to evade detection by drug manufacturers." We disagree with this characterization. The two documents cited in your letter do not show Kauffman participating in any efforts to "evade detection"; at most, they show her asking coworkers for information about changes in manufacturer practices. SOSP 1034492, SOSP 0786717.

On July 18, you proposed a trade in which J&J would add Joseph Incelli as a custodian if SaveOn would add Leslie Kauffman as a custodian. As you are aware. however, SaveOn has not proposed that Incelli be added as a full custodian but has rather proposed targeted search terms for his files targeted to the relevant work that he performed. See June 28, 2014 Letter from E. Snow to J. Long. SaveOn will not agree to add Kauffman as a full custodian, but we are willing to consider a narrowed proposal similarly targeted to relevant work that J&J believes she performed. For instance, the two documents you cite in your letter to show that Kauffman played "a central role" in so-called evasion efforts are from June 2022. SOSP 1034492, SOSP 0786717; any narrowed proposal should, at a minimum, account for the limited time period in which J&J alleges that

Finally, you ask SaveOn to produce "all documents and communications regarding training material, or manufacturer terms and conditions, including participant lists, associated emails, agendas, meeting minutes, and calendar invitations." stands . Based on our investigation, the for As Saeli, Reckinger, Calderon, Miller and Dunbar are all full custodians, it is our understanding that any relevant, responsive that hit on SaveOn's search terms are already materials connected with the being produced.

We are available to meet and confer.

Sincerely,

/s/ Meredith Nelson

Meredith Nelson Associate

www.pbwt.com



July 25, 2024

Bonita L. Robinson (212) 336-2554

### By Email

Meredith Nelson, Esq. Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104

> Apparent Deficiencies in SaveOnSP's Document Productions Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC, Case No. 2:22-cv-02632 (JKS) (CLW)

Dear Meredith:

We write in response to your July 19, 2024 letter and in furtherance of our June 28, 2024 letter regarding various deficiencies in SaveOnSP's productions. We will address the portion of your letter that concerns Ms. Zulqarnain's call recordings under separate cover.

First, as described in our June 28, 2024 letter, SaveOnSP employee See June 28, 2024 Ltr. from B. Robinson to M. Nelson at 1. SOSP 2056631; SOSP 2056608. You refuse to produce the referenced email exchange between on the ground that the exchange is not responsive to existing document requests and is irrelevant to any issues in this case. See July 19, 2024 Ltr. from M. Nelson to B. Robinson at 1. We are surprised by your position that communications in connection with SaveOnSP members' apparent violation of manufacturer terms and conditions—and SaveOnSP's attempts to prevent manufacturers from learning of such violations—are nonresponsive and irrelevant. Indeed, this position raises serious doubts regarding the responsiveness criteria that SaveOnSP has applied to JJHCS's requests to date. Please explain the basis for your assertion that an email about manufacturer terms and conditions is not relevant to this litigation about whether the SaveOnSP Program causes members to violate manufacturer terms and conditions.

Second, our June 28 letter requested that you add Leslie Kauffman as a custodian, given that even SaveOnSP's existing productions make plain that Ms. Kauffman played a central Meredith Nelson, Esq. July 25, 2024 Page 2

role in SaveOnSP's tracking of and efforts to evade manufacturer terms and conditions. *See* June 28, 2024 Ltr. from B. Robinson to M. Nelson at 2. We cited several documents from June 2022, but those documents were merely illustrative, not exhaustive. Indeed, only months after the start of her employment with SaveOnSP in 2017,

SOSP 0169171, and
, see
SOSP\_1216240. Moreover, Ms. Kauffman's documents are relevant and highly significant to JJHCS's claims for other reasons: for example, in Ms. Kauffman's prior role as a patient support representative,

See, e.g., SOSP 0052444, SOSP 0671816, SOSP 0839422.

Three weeks after we made our request—having received no response to our request, but numerous demands from SaveOnSP in the interim that JJHCS add new custodians we wrote to you that we would agree to add Joseph Incelli as a custodian provided that SaveOnSP confirm it would add Ms. Kauffman. See July 18, 2024 E-mail from J. Long to M. Nussbaum. In response, you refuse to add Ms. Kauffman as a full custodian and suggest that we offer a "narrowed proposal" that is "similar[]" to SaveOnSP's proposal regarding Mr. Incelli. July 19, 2024 Ltr. from M. Nelson to B. Robinson at 2. As an initial matter, your proposal regarding Mr. Incelli was hardly narrow: You requested that JJHCS run a lengthy set of expansive search terms<sup>1</sup> over Mr. Incelli's custodial files "across the full Relevant Time Period" of more than seven years. June 28, 2024 Ltr. from E. Snow to J. Long at 4-6. In any event, Ms. Kauffman's manufacturer evasion efforts appear to have spanned much of her career at SaveOnSP, and while those efforts are particularly noteworthy (and SaveOnSP's failure to identify Ms. Kauffman as a custodian thus particularly troubling). Ms. Kauffman's custodial files are likely to contain other important and relevant documents from throughout her tenure at SaveOnSP. Accordingly, we decline to agree to the addition of Ms. Kauffman as only a limited custodian. Please confirm that you will add Ms. Kauffman as a full custodian.

Finally, thank you for your explanation regarding the Based on your representations, we will not pursue the requested documents further at this time. Of course, we may revisit this request if it appears that relevant material regarding the been captured by SaveOnSP's existing custodians and search terms.

We request a response by August 1, 2024, and remain available to meet and confer.

<sup>1</sup> To be clear, our July 18, 2024 proposal did not accept SaveOnSP's proposed search terms, but was expressly "subject to agreement on appropriate search terms." July 18, 2024 E-mail from J. Long to M. Nussbaum.

Meredith Nelson, Esq. July 25, 2024 Page 3

Very truly yours,

/s/ Bonita Robinson
Bonita L. Robinson

From: Leslie Kauffman [lkauffman@saveonsp.com]

**Sent**: 7/31/2023 7:19:14 PM

To: Mariah Hoffhines [mhoffhines@saveonsp.com]

CC: Brianna Reed [breed@saveonsp.com]; Michelle Tabone [mtabone@saveonsp.com]

Subject: FW: Avonex Cases

Attachments: Sample of Biogen terms from CPA.xlsx

From: Leslie Kauffman < lkauffman@saveonsp.com>

Sent: Monday, July 31, 2023 3:13 PM

To: Leslie Kauffman < lkauffman@saveonsp.com>

Subject: RE: Avonex Cases

Mariah,

In March some more diligent Biogen members began calling in.

They received either a letter, an-email or a phone call advising they are no longer eligible for their CPA program either:

- They were identified as being in an offset program.
- Because they with SOSP.

E-mails were shared w/ management.

Initially, MSRs were sending to billing for an exclusion if it was because of maximizer or accumulator. If they were told they were not eligible because of SOSP, the TLs used a TT and advised them to CB manufacturer basically saying SOSP is not a program they are enrolled in.

It was decided quickly that for Biogen members, we would not advise them to CB, and the TL would send to billing for either manufacturer excluded or early exhaust.

One member we asked to call back and explain that they are not enrolled w/ a program w/ SOSP did receive a VCC which paid \$9400.00 before terming.

It was expected that most members would not call in, and denied claims from billing would be coming.

Because the examples you sent over were all checked (I think) w/ Biogen through ESI, I don't know if we want to make calls out to members. I did leave one VM, similar to the Dupixent Plan Sponsor VM..

If you want calls out, I can call them in morning. Advise please.

stthese are not all of the call ins, only the ones the TLS follow procedure and add to a SS  $\,$  .

The 3 blue on bottom were from billing.

Let me know how I can help:)

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 61 of 200 PageID:

From: Leslie Kauffman

Sent: Friday, July 28, 2023 12:14 PM

To: Mariah Hoffhines < mhoffhines@saveonsp.com >

Cc: Brianna Reed <br/> dreed@saveonsp.com>; Michelle Tabone <br/> MTabone@saveonsp.com>

Subject: RE: Avonex Cases

Mariah!

I will dig into these and see what I can find, but have a few things ahead.

Stand by--

From: Mariah Hoffhines < <a href="mailto:mhoffhines@saveonsp.com">mhoffhines@saveonsp.com</a>>

Sent: Friday, July 28, 2023 12:11 PM

To: Leslie Kauffman < lkauffman@saveonsp.com>

Cc: Brianna Reed <br/> saveonsp.com>; Michelle Tabone <mtabone@saveonsp.com>

Subject: RE: Avonex Cases

There has now been 3 more cases that came back same as below

00335970 00342717 00342962

### **Mariah Hoffhines**

Billing Supervisor

SaveOnSP, LLC | 40 La Riviere Drive, Suite 310 | Buffalo, NY 14202 telephone: 716.800.3061 x105 | email: mhoffhines@saveonsp.com



From: Mariah Hoffhines

Sent: Friday, July 28, 2023 11:46 AM

To: Leslie Kauffman < !kauffman@saveonsp.com >

Cc: Brianna Reed < breed@saveonsp.com >; Michelle Tabone < MTabone@saveonsp.com >

Subject: FW: Avonex Cases

Hi there,

Has there been any update to avonex and the re enrollment rule? The cases below are stating that they were termed and need to be re enrolled? We are just trying to have a better understanding of why these are coming back.

Any information helps!

Thank you

### **Mariah Hoffhines**

Billing Supervisor

#### 

SaveOnSP, LLC | 40 La Riviere Drive, Suite 310 | Buffalo, NY 14202 telephone: 716.800.3061 x105 | email: mhoffhines@saveonsp.com



From: Mariah Hoffhines

Sent: Friday, July 28, 2023 11:18 AM

To: Brianna Reed < breed@saveonsp.com >

Cc: Michelle Tabone < MTabone@saveonsp.com >

Subject: Avonex Cases

Case comment states: Spoke with rep as per rep patient card has been terminated on 3/19/2023 so the patient needs to call on 8004562255 for re-enroll with program. 00350435

Case comment states: spoke with rep as per rep patient card has been terminated on 3/19/2023 so the patient needs to call on 8004562255 for re-enroll with program. 00349657

Case comment states: spoke with rep as per rep patient card has been terminated on 04/10/2023 so the patient needs to call on 8004562255 for re-enroll with program. 00348906

Case comment states: Spoke with rep as per rep patient card has been terminated on 3/5/2023 so the patient needs to call on 8004562255 for re-enroll with program. 00370494

Case comment states: per rep , she said that patient card is terminated and patient is enrolled in another program of financial assistance program on 4/3/2023 00380784

Case comment: As per rep, she said that patient card is terminated, and patient is enrolled in another program of financial assistance program on 4/3/2023.

00316960

Case comment: spoke with program rep Patient termed with copay assistance program on 03/02/2023. 00442565

Case comment: Patient termed with copay assistance program on 03/06/2023. 00437347

Case comment: Patient termed with copay assistance program on 3/19/2023 00471320

Thank you,

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# **Mariah Hoffhines**

Billing Supervisor

SaveOnSP, LLC | 40 La Riviere Drive, Suite 310 | Buffalo, NY 14202 telephone: 716.800.3061 x105 | email: <a href="mailto:mhoffhines@saveonsp.com">mhoffhines@saveonsp.com</a>



## Long, Julia (x2878)

From: Long, Julia (x2878)

Sent: Thursday, July 18, 2024 4:21 PM

To: Matthew Nussbaum; Mangi, Adeel A. (x2563); Sandick, Harry (x2723); LoBiondo, George

(x2008); Eppler, Ian (x2205); Chefitz, Jacob (x2474); \_cq J&J-SaveOn;

~jgreenbaum@sillscummis.com; ~klieb@sillscummis.com

Cc: Philippe Selendy; Andrew Dunlap; Meredith Nelson; Elizabeth Snow; Hannah Miles;

Wohlforth, E. Evans; Galli, Sabrina M.

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

**Attachments:** 2024.06.21 Letter from J. Chefitz to M. Nelson re pre-April 2016 documents.pdf;

2024.06.25 Ltr. from E. Shane to E. Snow re Production Deficiencies.pdf; 2024.6.28 Ltr.

from B. Robinson to M. Nelson re Production Deficiencies.pdf

#### Matt,

Thanks again for your email on Friday. We still haven't heard back from you on the enclosed letters—despite SaveOnSP sending JJHCS scores of offensive letters in the same period, including four yesterday alone. We understand that SaveOnSP will respond to our June 21 and June 25 letters this week, and look forward to conferring promptly on any remaining disputes between the parties.

As you know, in our June 28 letter, among other issues, we requested that you add Leslie Kauffman as a custodian based on her central role in SaveOnSP's efforts to evade detection by drug manufacturers. SaveOnSP has produced numerous documents

The documents that

SaveOnSP has produced, moreover, make apparent that Ms. Kauffman's custodial files contain important and responsive documents that have not been produced to us from other custodians. We provided an example of a document where



presumably because they are not captured by existing custodians.

In an effort to reach agreement on this issue, and subject to agreement on appropriate search terms, JJHCS is prepared to add Joseph Incelli as a custodian, subject to SaveOnSP's agreement to add Leslie Kauffman as a document custodian.

Please let us know if SaveOnSP agrees to this proposal by July 23, 2024. If not, please provide your availability to confer on July 24 or 25, 2024.

Best, Julia

Julia Long She | Her | Hers **Associate** 

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas

New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Long, Julia (x2878) < jlong@pbwt.com>

**Sent:** Friday, July 12, 2024 6:45 PM

**To:** Matthew Nussbaum <mnussbaum@selendygay.com>; Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Eppler, Ian (x2205) <ieppler@pbwt.com>; Chefitz, Jacob (x2474) <jchefitz@pbwt.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>; ~igreenbaum@sillscummis.com <jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com> <br/>**Cc:** Philippe Selendy <pselendy@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Wohlforth, E. Evans <EWohlforth@rc.com>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thanks for your email, and we look forward to receiving SaveOnSP's responses to our June 21 and June 25 letters next week. As you know, by then, both will be just shy of a month old. Can you confirm when SaveOnSP will respond to the balance of our correspondence, including the June 28 letter enclosed here?

We also look forward to receiving SaveOnSP's forthcoming production of adherence data, which you represented would be in a "forthcoming production" on April 16. Please let us know if SaveOnSP's intended production date slips further. As to SaveOnSP's forthcoming Teams production, SaveOnSP "anticipated" that the entirety of its Teams production would "take about a month" on June 20, as part of the parties' agreement. You now state that SaveOnSP is "in the process of preparing our first rolling Teams production." When can we expect the balance?

Finally, we anticipate providing a narrowed proposal as to call recordings early next week.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### ilong@pbwt.com

From: Matthew Nussbaum < mnussbaum@selendygay.com >

Sent: Friday, July 12, 2024 6:07 PM

**Cc:** Philippe Selendy cselendy@selendygay.com; Andrew Dunlap <adunlap@selendygay.com</pre>; Meredith Nelson <mnelson@selendygay.com</pre>; Elizabeth Snow <esnow@selendygay.com</pre>; Hannah Miles <hmiles@selendygay.com</pre>;

# Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 67 of 200 PageID: 53460

Wohlforth, E. Evans < <a href="mailto:EWohlforth@rc.com">EWohlforth@rc.com</a>>; Galli, Sabrina M. < <a href="mailto:SGalli@rc.com">SGalli@rc.com</a>>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

Thank you for your email. We look forward to your responses to the letters we referenced.

SaveOn intends to produce the relevant adherence data next week and the Johnson and Leger documents by the end of this month. We are in the process of preparing our first rolling Teams production and will update you when we have more information on when we will be able to make that production.

SaveOn intends to respond to both J&J's June 21 letter, which requests an extension of the discovery period, and June 25 letter, about the <a href="mainto:Communications@SaveOnSP.com">Communications@SaveOnSP.com</a> email box and other topics, next week. As to the remaining letters, SaveOn continues to investigate the issues raised and will respond when we have finished our investigations. Regarding call recordings, you stated that J&J would provide a narrowed proposal this week. See July 3, 2024 Email from I. Eppler to M. Nussbaum. Please let us know when you will provide that proposal. Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < jlong@pbwt.com>

**Sent:** Thursday, July 11, 2024 6:11 PM

To: Hannah Miles <<a href="mailto:mmiles@selendygay.com">hmiles@selendygay.com</a>; Mangi, Adeel A. (x2563) <<a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <<a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <<a href="mailto:globiondo@pbwt.com">globiondo@pbwt.com</a>; Eppler, Ian (x2205) <<a href="mailto:ieppler@pbwt.com">ieppler@pbwt.com</a>; Chefitz, Jacob (x2474) <<a href="mailto:jereenbaum@sillscummis.com">jereenbaum@sillscummis.com</a>; \_<a href="mailto:jereenbaum@sillscummis.com">jereenbaum@sillscummis.com</

**Cc:** Philippe Selendy cpselendy@selendygay.com; Andrew Dunlap <adunlap@selendygay.com</pre>; Meredith Nelson <mnelson@selendygay.com</pre>; Elizabeth Snow <esnow@selendygay.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Hannah,

Thanks for your email. As you know, we have already acknowledged receipt of four of these letters to let you know we are investigating the issues cited therein. We will respond to those inquiries as promptly as feasible. For the avoidance of doubt, we are also in receipt of your June 28 letter on TrialCard custodians, and anticipate responding to that letter on the same timeframe.

Can you confirm when your team will respond to the attached correspondence? As you will see, most of these pre-date the letters cited in your email. In addition, we'd appreciate if you could confirm when we'll hear back on the adherence data you referenced in an April 16 email; when we can expect your production of documents from Ms. Johnson's and

# Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 68 of 200 PageID: 53461

Ms. Leger's emails; and when you will commence your rolling productions of threaded Teams messages referenced in Meredith's June 21 email.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Hannah Miles <a href="miles@selendygay.com">hmiles@selendygay.com</a>

Sent: Thursday, July 11, 2024 5:10 PM

**To:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">; Sandick, Harry (x2723) <a href="https://sandick@pbwt.com">; LoBiondo, George (x2008) <a href="mailto:globiondo@pbwt.com">; Long, Julia (x2878) <a href="mailto:slobiondo@pbwt.com">; Eppler, Ian (x2205) <a href="mailto:eppler@pbwt.com">; Chefitz, Jacob (x2474) <a href="mailto:eppler@pbwt.com">; Cg J&J-SaveOn@pbwt.com</a>>; <a href="mailto:agreenbaum@sillscummis.com">; Cg J&J-SaveOn@pbwt.com</a>>; <a href="mailto:eppler@pbwt.com">; Cg J&J-Save

**Cc:** Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>

Subject: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

#### Counsel,

We requested responses to the attached letters regarding (1) J&J's withholding and redacting documents for relevance; (2) TrialCard's CAP custodians; (3) mitigation documents; and (4) Adam Fein search terms, by July 8. We requested a response to the attached letter regarding PAFA+ by July 3.

Please let us know when you intend to respond.

Best, Hannah

#### **Hannah Miles**

Associate [Email] Selendy Gay PLLC [Web] Pronouns: she, her, hers

+1 212.390.9055 [O]

+1 347.731.1404 [M]

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Selendy|Gay

Selendy Gay PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000

Meredith Nelson Associate 212 390 9069 mnelson@selendygay.com

August 1, 2024

### Via E-mail

Bonita L. Robinson Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 brobinson@pbwt.com

Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC (Case No. 2:22-cv-02632-JKS-CLW)

Dear Bonnie,

We write in response to your July 25, 2024 letter regarding J&J's request to add Leslie Kauffman as a custodian.

SaveOn proposed that it would consider adding Kauffman as a limited custodian, subject to further negotiations on search terms, if J&J agreed to make Joseph Incelli a custodian as requested by SaveOn. *See* July 19, 2024 Ltr. from M. Nelson to B. Robinson at 2. In response, J&J explained its unwillingness to agree because, in part, SaveOn's requested search terms for Incelli were not "narrow." *See* July 25, 2024 Ltr. from B. Robinson to M. Nelson at 2.

SaveOn is willing to provide a narrowed set of search terms for Incelli if J&J will provide a narrowed proposal for Kauffman, as we requested in our July 19 letter. To facilitate these negotiations, please provide hit counts broken down by term for the search terms originally proposed for Incelli so that SaveOn may begin to craft a narrower proposal.

We request a response by August 8, 2024. We are available to meet and confer.

Sincerely,

/s/ Meredith Nelson

Bonita L. Robinson August 1, 2024

Meredith Nelson Associate

# Exhibit 27

# Long, Julia (x2878)

From: Kevin Cryan <kcryan@selendygay.com>
Sent: Thursday, August 15, 2024 11:27 AM

**To:** Matthew Nussbaum; Robinson, Bonita (x2554); Mangi, Adeel A. (x2563); Sandick, Harry

(x2723); LoBiondo, George (x2008); Arrow, Sara (x2031); Eppler, Ian (x2205); Long, Julia (x2878); ~jgreenbaum@sillscummis.com; ~klieb@sillscummis.com; \_cg J&J-SaveOn Philippe Selendy; Andrew Dunlap; Meredith Nelson; Elizabeth Snow; Wohlforth, E. Evans;

milippe Selendy, Andrew Dunlap, Meredith Neison, Elizabeth Show, v

Galli, Sabrina M.

**Subject:** RE: JJHCS v. SaveOnSP // Production Deficiencies

External: Think before you click.

Bonnie,

Cc:

We understand J&J's position is that it will not add Joseph Incelli as a custodian unless SaveOn agrees to add Leslie Kauffman as a full custodian. For the reasons we have stated previously, SaveOn declines to add Kauffman as a full custodian. We understand, therefore, that J&J is refusing to add Incelli as a custodian and that the parties are at impasse on this issue. We're happy to discuss this issue further on our meet and confer this afternoon.

Best, Kevin Cryan

# **Kevin Cryan**

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O] +1 332.201.6763 [M]

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Thursday, August 8, 2024 6:11 PM

**Cc:** Philippe Selendy <pselendy@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Kevin Cryan <kcryan@selendygay.com>; Wohlforth, E. Evans <EWohlforth@rc.com>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP // Production Deficiencies

Bonnie,

We are in receipt of the below correspondence and intend to respond next week.

Thank you,

Matt

### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Robinson, Bonita (x2554) < brobinson@pbwt.com >

Sent: Monday, August 5, 2024 5:44 PM

To: Kevin Cryan < kcryan@selendygay.com >; Meredith Nelson < mnelson@selendygay.com >; Eppler, Ian (x2205) < ieppler@pbwt.com >; Mangi, Adeel A. (x2563) < aamangi@pbwt.com >; Sandick, Harry (x2723) < hsandick@pbwt.com >; LoBiondo, George (x2008) < globiondo@pbwt.com >; Arrow, Sara (x2031) < sarrow@pbwt.com >; Long, Julia (x2878) < illong@pbwt.com >; ~igreenbaum@sillscummis.com < jgreenbaum@sillscummis.com >; ~klieb@sillscummis.com < klieb@sillscummis.com >; cg J&J-SaveOn < JJSaveOn@pbwt.com >

Subject: RE: JJHCS v. SaveOnSP // Production Deficiencies

Kevin and Meredith,

Please see the attached letter.

Best, Bonnie

### Bonita L. Robinson

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Kevin Cryan < kcryan@selendygay.com >

Sent: Thursday, August 1, 2024 9:59 PM

**To:** Robinson, Bonita (x2554) < <u>brobinson@pbwt.com</u>>; Meredith Nelson < <u>mnelson@selendygay.com</u>>; Eppler, Ian (x2205) < <u>ieppler@pbwt.com</u>>; Mangi, Adeel A. (x2563) < <u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723)

<<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; Arrow, Sara (x2031) <<u>sarrow@pbwt.com</u>>;

Long, Julia (x2878) <<u>jlong@pbwt.com</u>>; <u>~jgreenbaum@sillscummis.com</u> <<u>jgreenbaum@sillscummis.com</u>>;

~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>

Cc: Andrew Dunlap <adunlap@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Philippe Selendy

<pselendy@selendygay.com>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com></u>

Subject: Re: JJHCS v. SaveOnSP // Production Deficiencies

External: Think before you click.

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 76 of 200 PageID:

Bonnie,

Please see the attached correspondence.

Best, Kevin

## **Kevin Cryan**

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O] +1 332.201.6763 [M]

From: Robinson, Bonita (x2554) <br/> <br/>brobinson@pbwt.com>

Sent: Thursday, July 25, 2024 3:57:15 PM

To: Meredith Nelson <<u>mnelson@selendygay.com</u>>; Kevin Cryan <<u>kcryan@selendygay.com</u>>; Eppler, Ian (x2205) <<u>ieppler@pbwt.com</u>>; Mangi, Adeel A. (x2563) <<u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) <<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; Arrow, Sara (x2031) <<u>sarrow@pbwt.com</u>>; Long, Julia (x2878) <<u>ilong@pbwt.com</u>>; <u>"jgreenbaum@sillscummis.com</u> <<u>igreenbaum@sillscummis.com</u>>; <u>"klieb@sillscummis.com</u></br>
<<u>klieb@sillscummis.com</u>>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>

Subject: RE: JJHCS v. SaveOnSP // Production Deficiencies

Meredith,

Please see the attached correspondence.

Best, Bonnie

### **Bonita L. Robinson**

She | Her | Hers

### Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Meredith Nelson <mnelson@selendygay.com>

**Sent:** Friday, July 19, 2024 5:13 PM

**To:** Robinson, Bonita (x2554) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Kevin Cryan <a href="mailto:kevin Cryan">kevin Cryan <a href="mailto:kevin Cryan <a href="mailto

Subject: RE: JJHCS v. SaveOnSP // Zulqarnain Call Recordings

External: Think before you click.

Counsel,

Please see the attached letter.

Regards, Meredith

### **Meredith Nelson**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: she, her, hers

+1 212.390.9069 [O]

+1 918.200.3148 [M]

From: Robinson, Bonita (x2554) < brobinson@pbwt.com >

Sent: Wednesday, July 17, 2024 6:08 PM

**To:** Kevin Cryan < <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>>; Eppler, Ian (x2205) < <a href="mailto:ieppler@pbwt.com">ieppler@pbwt.com</a>>; Mangi, Adeel A. (x2563)

<aamangi@pbwt.com>; Sandick, Harry (x2723) < <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>>; LoBiondo, George (x2008)

<globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>;

<u>~jgreenbaum@sillscummis.com</u> <jgreenbaum@sillscummis.com>; <u>~klieb@sillscummis.com</u> <klieb@sillscummis.com>; cg J&J-SaveOn <JJSaveOn@pbwt.com>

Cc: Andrew Dunlap <adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <a href="mailto:esnow@selendygay.com">esnow@selendygay.com</a>; Philippe Selendy <a href="mailto:esnow@selendygay.com">esnow@selendygay.com</a>; Wohlforth, E. Evans <a href="mailto:esnow@selendygay.com">Ewohlforth@rc.com</a>> Subject: RE: JJHCS v. SaveOnSP // Zulqarnain Call Recordings

Counsel,

Please see the attached letter.

Best, Bonnie

### **Bonita L. Robinson**

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Kevin Cryan < kcryan@selendygay.com>

Sent: Monday, July 15, 2024 5:05 PM

**To:** Eppler, Ian (x2205) < <a href="mailto:ieppler@pbwt.com">ieppler@pbwt.com</a>; Mangi, Adeel A. (x2563) < <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) < <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; Arrow, Sara (x2031) < <a href="mailto:sarrow@pbwt.com">sarrow@pbwt.com</a>; Arrow, Sara (x2031) < <a href="mailto:sarrow@pbwt.com">sarrow@pbwt.com</a>;

Long, Julia (x2878) < <u>ilong@pbwt.com</u>>; <u>~igreenbaum@sillscummis.com</u> < <u>igreenbaum@sillscummis.com</u>>;

~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>

**Cc:** Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>

Subject: RE: JJHCS v. SaveOnSP // JJHCS's Thirteenth Set of RFPs

External: Think before you click.

## Counsel,

Please find attached SaveOnSP's R&O's to JJHCS's 13th Set of Requests for Production. Please also see the attached correspondence.

Best, Kevin Cryan

### **Kevin Cryan**

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Kevin Cryan

Sent: Tuesday, June 18, 2024 3:50 PM

To: Eppler, Ian (x2205) < <a href="mailto:ieppler@pbwt.com">ieppler@pbwt.com</a>; Mangi, Adeel A. (x2563) < <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) < <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; Com, Julia (x2878) < <a href="mailto:long@pbwt.com">iepreenbaum@sillscummis.com</a>; <a href="mailto:jereenbaum@sillscummis.com">iereenbaum@sillscummis.com</a>; <a href="mailto:jereenbaum@sillscummis.com">iereenbaum@sillscummis.com</a>; <a href="mailto:jereenbaum@sillscummis.com">jereenbaum@sillscummis.com</a>; <a href="mailto:jereenbaum@sillscummis.com

lan,

Thank you for sending these re-numbered RFPs. SaveOn agrees that this scrivener's error does not affect SaveOn's timeline for serving R&Os.

Best, Kevin

### **Kevin Cryan**

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Eppler, Ian (x2205) <ieppler@pbwt.com>

**Sent:** Monday, June 17, 2024 4:51 PM

**To:** Kevin Cryan < <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Mangi, Adeel A. (x2563) < <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) < <a href="mailto:ksing-pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) < <a href="mailto:globiondo@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) < <a href="mailto:sarrow@pbwt.com">sarrow@pbwt.com</a>; Long, Julia (x2878) < <a href="mailto:jlong@pbwt.com">jlong@pbwt.com</a>; <a href="mailto:jlong@pbwt.com">jgreenbaum@sillscummis.com</a>; <a href="mailto:jlong@pbw

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 79 of 200 PageID: 53472

<esnow@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Wohlforth, E. Evans <Ewohlforth@rc.com> Subject: RE: JJHCS v. SaveOnSP // JJHCS's Thirteenth Set of RFPs

Kevin,

Please find attached an updated copy of JJHCS's Thirteenth Set of RFPs.

Because JJHCS served its Thirteenth Set of RFPs on Friday, June 14, and this document is a non-substantive correction of a scrivener's error in JJHCS's Thirteenth Set of RFPs that was undertaken at the request of SaveOnSP, we expect that SaveOnSP will serve its Responses and Objections to JJHCS's Thirteenth Set of RFPs by Monday, July 15. See Fed. R. Civ. P. 34(b)(2)(A).

Best, lan

From: Kevin Cryan < kcryan@selendygay.com>

Sent: Monday, June 17, 2024 3:44 PM

To: Eppler, Ian (x2205) <ieppler@pbwt.com>; Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <a href="mailto:</a><a href="mailto:</a>, LoBiondo, George (x2008) <a href="mailto:</a> (x2031) <a href Long, Julia (x2878) <ilong@pbwt.com>; ~igreenbaum@sillscummis.com <igreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>

Cc: Andrew Dunlap <a downlap@selendygay.com >; Meredith Nelson <a href="mailto:mnelson@selendygay.com">mnelson@selendygay.com</a> ; Elizabeth Snow <esnow@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Wohlforth, E. Evans <Ewohlforth@rc.com>

Subject: RE: JJHCS v. SaveOnSP // JJHCS's Thirteenth Set of RFPs

External: Think before you click.

lan,

We are in receipt of J&J's 13th set of RFPs. We noticed that the numbering overlaps with J&J's 12th set of RFPs, which also begin at No. 116.

We assume this was inadvertent; please re-send these 13<sup>th</sup> RFPs so that they begin with No. 123.

Thank you, Kevin Cryan

**Kevin Cryan** 

Law Clerk [Email] Selendy Gay PLLC [Web] Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Eppler, Ian (x2205) < <a href="mailto:ieppler@pbwt.com">ieppler@pbwt.com</a>>

Sent: Friday, June 14, 2024 5:30:32 PM

# Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 80 of 200 PageID: 53473

To: Andrew Dunlap <adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <anomalian <a href="mailto:sesnow@selendygay.com">sesnow@selendygay.com</a>; Philippe Selendy <a href="mailto:sesnow@selendygay.com">sesnow@selendygay.com</a>; Wohlforth, E. Evans <a href="mailto:Ewohlforth@rc.com">Ewohlforth@rc.com</a>>
Cc: Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">selendy@selendygay.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">sendick@pbwt.com</a>; Long, Julia (x2878) <a href="mailto:long@pbwt.com">ilong@pbwt.com</a>; <a href="mailto:agraembaum@sillscummis.com">selendygay.com</a>; Long, Julia (x2878) <a href="mailto:long@pbwt.com">selendygay.com</a>>; <a href="mailto:amangi@pbwt.com">selendygay.com</a>; Long, Julia (x2878) <a href="mailto:long@pbwt.com">selendygay.com</a>; <a href="mailto:amangi@pbwt.com">selendygay.com</a>; <a href="mailto:Long@pbwt.com">selendygay.com</a>; <a href="mailto:Long@pbwt.com">selendygay.com</a>; <a href="mailto:Long@pbwt.com">selendygay.com</a>; <a href="mailto:Long@pbwt.com">selendygay.com</a>; <a href="mailto:Long@pbwt.com">selendygay.com</a>; <a href="mailto:Long@pbwt.com">selendygay.com</a>; <a href="mailto:Long@pbwt.com">selendygay.com</a>>; <a href="mailto:Long@pbwt.com">selendygay.com</a>; <a href="mailto:Long@pbwt.com"

Subject: JJHCS v. SaveOnSP // JJHCS's Thirteenth Set of RFPs

Counsel,

Please find attached JJHCS's Thirteenth Set of Requests for Production of Documents.

Best, Ian

lan D. Eppler

He | Him | His Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

Tel.: 212.336.2205 ieppler@pbwt.com

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

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Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

# MOTION TO COMPEL ADDITIONAL CUSTODIANS

# **EXHIBIT 28**

# FILED UNDER PERMANENT SEAL

# Exhibit 29

Selendy Gay Elsberg PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000

selendv

Elizabeth H. Snow Associate 212.390.9330 esnow@selendygay.com

May 16, 2023

## <u>Via E-mail</u>

**Harry Sandick** Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 hsandick@pbwt.com

Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC Re: (Case No. 2:22-cv-02632-ES-CLW)

Dear Harry,

We write in response to your May 10, 2023 letter regarding SaveOnSP's search parameters.

#### I. **Search Terms**

You ask that SaveOnSP add the search term (copay\* OR co-pay\* OR coins\* OR coins\* OR "cost share") W/15 (zero OR o OR \$0 OR "no cost" OR "free of charge"). Save-OnSP will add this term.

#### II. Standing Meetings with ESI

You assert, again, that SaveOnSP refuses to search for relevant materials from weekly meetings with ESI. This remains untrue. As we have explained, we searched for those materials by running our search parameters and producing any relevant materials. As noted in our May 2, 2023 letter, SaveOnSP's productions to date have included over 100 communications related to these standing meetings. We will also add the search terms "Weekly Touch Base" or "Bi-weekly call" to our search parameters.

#### III. **Organization Charts**

You ask that SaveOnSP re-produce the information contained in the organization chart on page 7 of SOSP 0000154. We enclose the text of that chart as Appendix 1.

#### IV. **Custodians**

You ask that SaveOnSP add Andrew Walker, Armand Peoples, and Jillian Vincheski as custodians. Please note that Appendix 1 of our April 20, 2023 letter inadvertently listed "Andrew Walker" as a Member Services Senior Team Lead. The name of this Member Services Senior Team Lead was in fact Andrea Waker. We are investigating whether Andrea Waker, Armand Peoples, or Jillian Vincheski may possess any unique relevant documents and will revert once we have completed our investigation.

#### V. **Notion Partners**

You ask, again, that SaveOnSP confirm that it will produce all correspondence and work product between SaveOnSP and Notion Partners. SaveOnSP agrees, again, to produce any such documents identified by its search parameters that are relevant and nonprivileged. You now seem to suggest that SaveOnSP's search parameters are insufficient to identify such documents. While we disagree, SaveOnSP will add the search term "Notion" to its search parameters.

We reserve all rights and are available to meet and confer.

Best,

/s/ Elizabeth H. Snow

Elizabeth H. Snow Associate

# Appendix 1

Justin Catalano: Member Services Manager

Amanda Ongley: Member Services Supervisor

Brandon Bartz: Member Services Supervisor

Brianna Reed: Member Services Senior Supervisors

David Thornbury: Member Services Supervisor

Eve Szafranski: Member Services Supervisor

Kristen Bonnet: Member Services Supervisor

Lauren Pacillo: Member Services Supervisor

Lesli Kauffman: Program Retention Specialist

Sarah Segerson: Quality Assurance Supervisor

Theodore Mighells: Member Services Training

Vasilios Tsirtsakis: Member Services Support

Amber Black: Member Services Representative

Brianne Bauman: Member Services Representative

Frances Shimburski: Member Services Representative

Jermaine Roseboro: Member Services Representative

Jessica Norton: Member Services Representative

John Wilson: Member Services Representative

Marqueda Martin: Member Services Representative

Mary McIver: Member Services Representative

Philip DiFrancesco: Member Services Representative

Sandra Ojeda-Joiner: Member Services Representative

Terry Holihan: Member Services Representative

Timothy Lane: Member Services Representative

Yiselis Burgos: Member Services Representative

Abigail Wasmer: Member Services Representative

Amber Flint: Member Services Representative

Arshia Muqtadir: Member Services Representative

Ashley Iwanenko: Member Services Representative

Austin Payne: Member Services Representative

Breanna Decarlo: Member Services Representative

Daniela McGaughny: Member Services Representative

Jaton Baker: Member Services Representative

Michelle Ferington: Member Services Representative Myllisa Mansfield: Member Services Representative

Natasha Aviles-Torres: Member Services Representative

Rachael Polley: Member Services Representative

Sharon Rebmann: Member Services Representative

Shelby Olivas: Member Services Representative

Alyssa White: Member Services Team Lead

Andrea Waker: Member Services Senior Team Lead

Beth Brown: Member Services Team Lead

Cayla Swiatek: Member Services Team Lead

Joy Schrader: Member Services Team Lead

Julia Shevchuk: Member Services Team Lead

Kimberly Martin: Member Services Team Lead

Leanne Schurr: Member Services Team Lead

Mara Klosin: Member Services Team Lead

Rachel Kropczynski: Member Services Team Lead

Terra Ellis: Member Services Team Lead

Aaron Montgomery: Member Services Representative

Alexander Smith: Member Services Representative

Allison Keane: Member Services Representative

Cathy Petri: Member Services Representative

Herbert Daniels: Member Services Representative

Janie Webb: Member Services Representative

John Delecki: Member Services Representative

Kayla Collins: Member Services Representative

Patricia Brown: Member Services Representative

Rayel Washington: Member Services Representative

Ryan MacKinnon: Member Services Representative

Samantha Godert: Member Services Representative

Shirley Balus: Member Services Representative

Allisa Dypka: Member Services Representative

Alyssa Mech: Member Services Representative

Ashly Titus: Member Services Representative

Elizabeth Mehlenbacher: Member Services Representative

Frederick Searles: Member Services Representative

Jennifer Canaan: Member Services Representative

Jessica Gray: Member Services Representative

Matthew Abrams: Member Services Representative

Nicole Granados: Member Services Representative

Sara Hoch: Member Services Representative

Shelby Ruhland: Member Services Representative

Annette Spurlock: Member Services Representative

Jamie Bruscia: Member Services Representative

Jayson Borum: Member Services Representative

John Ward: Member Services Representative

Kay Lawrence: Member Services Representative

Kristin Yetter: Member Services Representative

Laurie Kemp: Member Services Representative

Lynea McCarter: Member Services Representative

Steven Holihan: Member Services Representative

Taja Evans: Member Services Representative

Tatiana Mercedes: Member Services Representative

Tina Bremiller: Member Services Representative

Akillah Proctor: Member Services Representative

Angelica Cole: Member Services Representative

Charmaine Kincannon: Member Services Representative

Cierra Weaver: Member Services Representative

Eric Fontaine: Member Services Representative

Erica Hoare: Member Services Representative

Frances Dailey: Member Services Representative

Kurstyn Riccio: Member Services Representative

Lesley Gaydon: Member Services Representative Marisa Jones: Member Services Representative

Nichole Thomas: Member Services Representative

Victoria Hearn: Member Services Representative

Ashley Gilbert: Quality Assurance Auditor Hailey Kramer: Quality Assurance Auditor

Heather Sullivan: Quality Assurance Auditor

Jonathon Haynes: Quality Assurance Auditor

Patricia Burgos: Quality Assurance Auditor Paula Mighells: Quality Assurance Auditor

Kylie Anderson: Quality Assurance Auditor

# MOTION TO COMPEL ADDITIONAL CUSTODIANS

# **EXHIBITS 30-36**

# FILED UNDER PERMANENT SEAL

# Exhibit 37

www.pbwt.com



July 19, 2024

Saniya Suri (212) 336-2226

# **By Email**

Meredith Nelson, Esq. Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104

> Re: **Deficiencies in SaveOnSP's Document Productions and Custodians** Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC, Case No. 2:22-cv-02632 (JKS) (CLW)

Dear Meredith:

We write in response to your July 3, 2024 letter and further to JJHCS's May 24 and June 25, 2024 letters regarding SaveOnSP's document production and custodians.

As you know, in our May 24, 2024 letter, we requested that SaveOnSP "provide a complete list of SaveOnSP's document custodians" following SaveOnSP's belated notice that it had added Jessica Johnson and Kelsey Leger as custodians. May 24, 2024 Ltr. from S. Suri to M. Nelson at 2. After nearly a month, in your June 20, 2024 letter, you provided a list of all SaveOnSP document custodians, which included, inter alia, Brandon Bartz, Hailey Kramer, Sandy Mozrall, Jenna Quinn, Lauren Pacillo, Shannon Sommer, and Ingrid Vasquez. See June 20, 2024 Ltr. from M. Nelson to S. Suri App'x A. On June 25, 2024, we then asked that you share "the applicable search parameters for [those custodians]." June 25, 2024 Ltr. from S. Suri to M. Nelson at 1. Only then did SaveOnSP reverse course and claim in its July 3, 2024 letter that these seven individuals "were incorrectly included on the list of custodians SaveOn provided." July 3, 2024 Ltr. from M. Nelson to S. Suri at 1.

This change in position is troubling. JJHCS's investigation of SaveOnSP's production shows that there have been over 1,700 documents produced from these seven individuals' custodial files collectively, yet SaveOnSP has not identified what specifically has been produced from their files or what search terms may have been applied in doing so. Please do so promptly.

In any event, SaveOnSP should—at a minimum—add the following individuals as custodians:

Meredith Nelson, Esq. July 19, 2024 Page 2

**Jenna Quinn and Ingrid Vasquez.** JJHCS first requested SaveOnSP add Ms. Quinn and Ms. Vasquez as custodians in February 2024. *See* Feb. 16, 2024 Ltr. from K. Brisson to E. Snow. The parties exchanged various correspondence and met and conferred on this issue for over two months. In its last letter on April 19, 2024, JJHCS asked SaveOnSP to "reconsider its relevance objection to JJHCS's request that SaveOnSP designate . . . Quinn, and Vazquez as custodians"; "propose search terms you would be willing to run for . . . Quinn, and Vazquez and provide hit counts for each custodian, individually and in the aggregate, for each proposed term"; and provide availability to meet and confer. Apr. 19, 2024 Ltr. from K. Brisson to A. Miner. But SaveOnSP never responded, despite JJHCS's request that SaveOnSP "provide a response by April 26." *Id*.

JJHCS now renews its request to add Ms. Quinn and Ms. Vazquez as custodians, particularly insofar as SaveOnSP has apparently already collected at least some of their documents. As JJHCS has previously made clear, Ms. Quinn and Ms. Vazquez are likely to possess highly relevant documents concerning SaveOnSP's ongoing scheme to evade manufacturer detection. See generally Feb. 16, 2024 Ltr. from K. Brisson to E. Snow (detailing at length how the proposed custodians have engaged in deceptive tactics, including mock enrollments into manufacturers' copay assistance programs, intended to prevent manufacturers from identifying SaveOnSP employees and patients).

Brandon Bartz. Documents and communications demonstrate that Mr. Bartz played a role in SaveOnSP's efforts to evade detection by drug manufacturers and perpetuating its deceptive practices. In his role as Member Services Training Specialist, Mr. Bartz

See SOSP\_0849497 & SOSP\_0849498 (

"");

SOSP\_1144208 (

""); SOSP\_1144211 (

""); Sosp\_1144212 (

""); emphasized that ," SOSP\_1078528 (emphasis in original); "id. He also SOSP\_1031645; see also SOSP\_1031646 ("")

<sup>&</sup>lt;sup>1</sup> See Mar. 1, 2024 Ltr. from M. Nussbaum to K. Brisson; Mar. 4, 2024 Email from K. Brisson to M. Nussbaum; Mar. 6, 2024 Email from M. Nussbaum to K. Brisson; Mar. 8, 2024 Email from M. Nussbaum to K. Brisson; Mar. 15, 2024 Ltr. from K. Brisson to M. Nussbaum; Apr. 1, 2024 Ltr. from M. Nussbaum to K. Brisson; Apr. 1, 2024 Ltr. from K. Brisson to M. Nussbaum; Apr. 18, 2024 Ltr. from A. Miner to K. Brisson; Apr. 19, 2024 Ltr. from K. Brisson to A. Miner.

Meredith Nelson, Esq. July 19, 2024 Page 3

."). Additionally, he discussed
. See SOSP_2085041 (
).
Shannon Sommer. SaveOnSP's production demonstrates that Sommer has relevant documents and communications. For example, Sommer  See SOSP_0566671 (
); see also SOSP_0945862 (
). Sommer also was involved in discussions about see SOSP_1097426, and communications , see SOSP_1220985 (
); SOSP_1143088
).
<b>Hailey Kramer.</b> SaveOnSP's production demonstrates that Ms. Kramer also has relevant documents and communications, especially related to manufacturer evasion. In her role as a quality assurance auditor, Ms. Kramer
See SOSP_1116400
"); see also SOSP_1144213 (
); SOSP_1144214 (  ). For example, Ms. Kramer advised employees on
" SOSP_1116400
."). She specifically
." Id.; see also SOSP_1144264
"). These issues of manufacturer evasion and deception are squarely relevant. <i>See</i> Apr. 10, 2024 Order at 8 n.4.

Please confirm that you will collect and review all relevant custodial files, including messages, hard drives, mobile devices, and personal email accounts, if applicable, for all five individuals identified above. As to Ms. Quinn and Ms. Vazquez, please confirm SaveOnSP will run the same search terms the parties agreed upon for Ms. Johnson and Ms. Leger. *See* July 3,

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Meredith Nelson, Esq. July 19, 2024 Page 4

2024 Email from A. Miner to J. Long; June 13, 2024 Email from J. Long to M. Nussbaum. Please further confirm that Mr. Bartz, Ms. Sommer, and Ms. Kramer will be added as "full" custodians—i.e., SaveOnSP will run all agreed upon search terms for the entire relevant period. *See* Dec. 22, 2023 Ltr. from J. Long to E. Snow at Appendix 3.

Please provide a response by July 26, 2024.

/s/ Saniya Suri	
Saniya Suri	

Very truly yours,

# Exhibit 38

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Selendy | Gay

Selendy Gay PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000

Meredith Nelson Associate 212.390.9069 mnelson@selendygay.com

June 20, 2024

# Via E-mail

Saniya Suri Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 ssuri@pbwt.com

Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC (Case No. 2:22-cv-02632-JKS-CLW)

Dear Saniya,

We write in response to your May 24, 2024 letter alleging deficiencies in SaveOn's productions to date.

*First*, you request recordings for four Huddle meetings, referenced in documents SOSP\_1073892, SOSP\_1104796, MIGH000453, and SOSP\_1069773. The recording for the meeting referenced in SOSP\_1073892 was produced as SOSP\_1989351; however, a technical error caused it to be produced as a zero-kilobyte file. We will reproduce this recording in a forthcoming production. We have investigated the Team Lead Huddle meeting from March 28, 2023 referenced in SOSP\_1104796. Based on that investigation, we do not believe that this meeting was recorded. We will produce recordings of the Huddle meetings referenced in MIGH000453 and SOSP\_1069773 in a forthcoming production.

Second, you ask that we confirm that we will produce all relevant, non-privileged communications from the "CPAQuestions@saveonsp.com" email address in a forthcoming production. We agree to add this email address as a custodian and to review and produce relevant, non-privileged documents captured by the parties' existing search protocol.

*Finally,* you request a list of all SaveOn document custodians. That list is attached to this letter as Appendix A.

Saniya Suri June 20, 2024

We reserve all rights.

Best,

/s/ Meredith Nelson

Meredith Nelson Associate Saniya Suri June 20, 2024

# Appendix A

**Brandon Bartz** Rob Saeli

Sarah Segerson Jenna Benkelman Shannon Sommer Florencio Calderon

Dave Chelus Jill Stearns

Claudia Dunbar Michelle Tabone Ingrid Vasquez Mariah DuRant Darcie Falsioni Jillian Vincheski Nicole Haas Danielle Wagner

Michael Heinrichs Andrea Waker

Melanie Jerred Ayesha Zulqarnain

Jessica Johnson

Hailey Kramer

Sarah Kancar

Ron Krawczyk

Alissa Langley

Amanda Larsen

Kelsey Leger

Laura McClung

Jennifer Menz

Ted Mighells

Jody Miller

Nick Morrissey

Sandy Mozrall

Jenna Ordonez<sup>1</sup>

Lauren Pacillo

**Emily Reckinger** 

Brianna Reed

<sup>&</sup>lt;sup>1</sup> We have also produced documents from Jenna Ordonez under her maiden name, Jenna Quinn.

# Exhibit 39

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www.pbwt.com



Saniya Suri June 25, 2024 (212) 336-2226

## By Email

Meredith Nelson, Esq. Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104

> Re: **Deficiencies in SaveOnSP's Document Productions and Custodians** Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC, Case No. 2:22-cv-02632 (JKS) (CLW)

Dear Meredith:

We write in response to your June 20, 2024 letter and in furtherance of our May 24, 2024 letter regarding SaveOnSP's document production and custodians.

In your letter, you provided a list of all SaveOnSP document custodians. Upon further investigation, JJHCS has identified various issues that require clarification.

First, you state that you have "produced documents from Jenna Ordonez under her maiden name, Jenna Quinn." June 20 Ltr. from M. Nelson to S. Suri App'x An.1. But SaveOnSP documents suggest that Jenna Ouinn and Jenna Ordonez are in fact different individuals. See SOSP\_0000144 (identifying Jenna Ordonez as an Account Manager, reporting to Jill Stearns and Jennifer Thompson, and Jenna Quinn as a Billing Specialist, reporting to Ingrid Vasquez); SOSP\_0097967 (email sent to both Jenna Quinn and Jenna Ordonez, with sender stating "Hi Jenna and Jenna,"). Documents also suggest that Ms. Ordonez's maiden name was Jenna Elliott. See SOSP 0073005 (identifying Ms. Ordonez as "Jenna Ordonez provide clarity with regards to these individuals, including whether (1) Jenna Quinn has been added as a custodian; (2) Ms. Ordonez's previous email address, collected and searched using the parties' agreed-upon search terms; and (3) what search parameters SaveOnSP is using for Jenna Ordonez's custodial files, including her prior email address

Second, SaveOnSP has not shared what search parameters it is running for several custodians. Please provide the applicable search parameters for Brandon Bartz, Hailey Kramer, Sandy Mozrall, Jenna Quinn, Lauren Pacillo, Shannon Sommer, and Ingrid Vasquez.

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Meredith Nelson, Esq. June 25, 2024 Page 2

Third, in your June 20 letter, you agreed to add the CPAQuestions@saveonsp.com email address as a custodian and "to review and produce, relevant non-privileged documents captured by the parties' existing protocol." Please confirm the search terms that you plan to run over this email address and that SaveOnSP will search this email address for April 1, 2016 to November 7, 2023 time period.

Please provide a response by July 2, 2024.

Very truly yours,	
/s/ Saniya Suri	
Saniya Suri	

# Exhibit 40

Case 2:22-cv-02632-CCC-CLW Selendy Gay PLLC

Selendy Gay PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000 Document 491 PageID: 53497 Filed 01/07/25 Page 104 of 200

Selendy|Gay

Matthew Nussbaum Associate 212.390.9062 mnussbaum@selendygay.com

August 9, 2024

# Via E-mail

Saniya Suri Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 ssuri@pbwt.com

Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC (Case No. 2:22-cv-02632-JKS-CLW)

Dear Saniya,

We write in response to your July 19, 2024 letter in which you request the addition of five custodians.

You request that SaveOn add Jenna Quinn, Ingrid Vasquez, Brandon Bartz, Shannon Sommer, and Hailey Kramer, each of whom was erroneously included in a list of current custodians that SaveOn provided on June 20, 2024. *See* July 3, 2024 Ltr. from M. Nelson to S. Suri (explaining that these individuals, as well as two others, "were incorrectly included on the list of custodians SaveOn provided" and providing a corrected list).

You characterize SaveOn inadvertently including these individuals on its list of current custodians and then correcting that error as a "change in position." But it was not a "position" taken by SaveOn; it was merely a mistake. The accidental inclusion of Quinn and Vasquez, for example, was the result of collecting documents to run search terms and provide hit counts that J&J requested. These individuals appear as custodians on documents that SaveOn has already produced because their documents were de-duplicated against the documents of existing custodians. Bartz and Kramer appear as the custodians of various Huddle recordings because SaveOn's system automatically saves such recordings to the personal folder on the SaveOn shared drive of whomever recorded the meeting. SaveOn has

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not added any of the seven individuals inadvertently included on its June 20, 2024 list as custodians or run search terms over their unique files.<sup>1</sup>

You assert that, because of this error, SaveOn must "at a minimum" include all five individuals listed above as full custodians. SaveOn declines to do so.

Jenna Quinn and Ingrid Vasquez. We explained in March 2024 why Quinn and Vasquez are unlikely to possess unique, relevant documents. See Mar. 1, 2024 Ltr. from M. Nussbaum to K. Brisson. We nonetheless provided J&J with hit counts for them and for Kelsey Leger and Jessica Johnson, explaining that reviewing any of these individuals' documents would be unduly burdensome. J&J filed a motion to compel the production of Leger's and Johnson's documents, but not Quinn's or Vasquez's. See May 10, 2024 Mot. to Compel. After extensive negotiations, the parties agreed to search terms for Leger's and Johnson's documents. See July 3, 2024 email from J. Long to J. Wolfson. J&J now demands that SaveOn add Quinn or Vasquez as custodians without offering any new evidence. You also request that SaveOn search their mobile devices and personal email accounts without any evidence that those sources would contain relevant materials. Because the evidence that J&J has cited to date does not indicate that Quinn or Vazquez are likely to have unique, relevant documents, SaveOn declines to add them as custodians.

**Brandon Bartz**. J&J requests that Bartz be added as a custodian because, in his position training junior employees, he purportedly "played a role in Save-OnSP's efforts to evade detection by drug manufacturers and perpetuating its deceptive practices." None of the evidence that J&J cites supports this conclusion. Only one document, a Teams conversation, SOSP\_1031645-46, is even arguably relevant to alleged evasion, and it shows that

. See, e.g., April

24, 2024 Response to J&J's Interrogatory No. 20. Because J&J has failed to demonstrate that Bartz is likely to possess unique, relevant documents, SaveOn declines to do add him as a custodian.

**Shannon Sommer**. J&J argues, first, that Sommer's work as a "Pharmacy Data Manager" means she is likely to possess unique, relevant documents because she "assisted with modeling the impact of SaveOnSP's coinsurance model." J&J cites two documents in which Sommer discusses

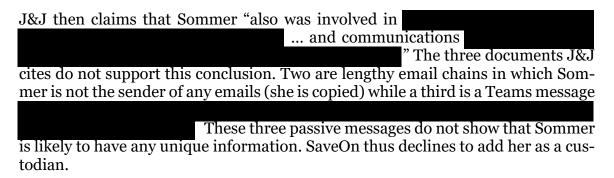
. SaveOn has produced voluminous data and communications from other custodians detailing the amounts that patients on SaveOn-advised plans receive in CarePath funds. J&J does not explain why it needs additional information regarding the impact of SaveOn's services on J&J, nor explain why Sommer's communications about that impact are likely to contain unique information.

<sup>1</sup> For Huddle recordings, SaveOn identified the relevant files through a non-custodial collection of files saved to SaveOn's shared drives.

2

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**Hailey Kramer**. J&J asserts that Kramer's conduct "related to manufacturer evasion." SaveOn has produced ample discovery on so-called "manufacturer evasion," including adding Leger and Johnson as custodians and collecting personal emails from each, as well as extensive discovery from Zulqarnain. The single document and three huddle recordings that J&J cites do not justify adding Kramer as an additional custodian on these issues. J&J points to an email in which

, SOSP\_1116400, . See, e.g., SOSP\_0162987 ("

SOSP\_1346614 "). This does not indicate that Kramer played any substantive role in so-called "evasion" or is likely to have unique, relevant documents. SaveOn declines to add her as a custodian.

We are available to meet and confer.

Sincerely,

/s/ Matthew Nussbaum

Matthew Nussbaum Associate

# Exhibit 41

# Long, Julia (x2878)

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Wednesday, August 21, 2024 3:34 PM

**To:** Suri, Saniya (x2226); Andrew Dunlap; Philippe Selendy; Meredith Nelson; Elizabeth Snow;

Document 491

PageID: 53501

Hannah Miles; Wohlforth, E. Evans; Galli, Sabrina M.; Emma Ashe O'Toole; Kevin Cryan Mangi, Adeel A. (x2563); Sandick, Harry (x2723); LoBiondo, George (x2008); Long, Julia

(x2878); \_cg J&J-SaveOn; ~jgreenbaum@sillscummis.com; ~klieb@sillscummis.com

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

## Good afternoon, Saniya,

SaveOn's position remains that neither Bartz nor Kramer should be added as custodians. J&J has not shown that these custodians are likely to possess relevant, non-duplicative documents and we maintain that reviewing and producing their documents is unduly burdensome and disproportionate. We were willing to consider a limited proposal to avoid a dispute, and we understood based on our meet-and-confer that you would were considering providing one. We now understand that J&J is unwilling to provide such a proposal.

Thank you,

Matt

Cc:

### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Suri, Saniya (x2226) <ssuri@pbwt.com> Sent: Tuesday, August 20, 2024 10:30 AM

To: Matthew Nussbaum <mnussbaum@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Wohlforth, E. Evans <ewohlforth@rc.com>; Galli, Sabrina M. <sgalli@rc.com>; Emma Ashe O'Toole <eashe@selendygay.com>; Kevin Cryan <kcryan@selendygay.com> Cc: Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>; ~jgreenbaum@sillscummis.com <klieb@sillscummis.com <klieb@sillscummis.com> Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Dear Matt,

We disagree with your representations regarding the conferral. As you know, we asked SaveOnSP to add Mr. Bartz and Ms. Kramer as full custodians and explained our basis for doing so. *See also* July 19, 2024 Ltr. from S. Suri to M. Nelson. SaveOnSP, though, failed to provide any counterproposal to our request. *See* Aug. 16, 2024 Ltr. from S. Suri to M.

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Nussbaum. Should SaveOnSP wish to provide a counterproposal, we would be happy to consider it. But absent doing so, the parties remain at impasse.

Sincerely, Saniya Suri

### Saniya Suri

Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2226

### ssuri@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Monday, August 19, 2024 12:27 PM

To: Suri, Saniya (x2226) <ssuri@pbwt.com>; Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <a href="https://miles@selendygay.com">https://miles@selendygay.com</a>; Wohlforth, E. Evans <ewohlforth@rc.com>; Galli, Sabrina M. <sgalli@rc.com>; Emma Ashe O'Toole <eashe@selendygay.com>; Kevin Cryan <a href="https://kcryan@selendygay.com">kcryan@selendygay.com</a>; Cc: Mangi, Adeel A. (x2563) <a href="https://miles@selendygay.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="https://miles@selendygay.com">https://miles@selendygay.com</a>; LoBiondo, George (x2008) <a href="https://miles@selendygay.com">globiondo@pbwt.com</a>; LoBiondo, George (x2008) <a href="https://miles@selendygay.com">globiondo@pbwt.com</a>; Long, Julia (x2878) <a href="https://miles@selendygay.com">https://miles@selendygay.com</a>; \_cg J&J-SaveOn <a href="https://miles@selendygay.com">JISaveOn@pbwt.com</a>; \_igreenbaum@sillscummis.com <a href="https://miles@selendygay.com">https://miles@selendygay.com</a>; \_cg J&J-SaveOn <a href="https://m

External: Think before you click.

Saniya,

Thank you for your letter. We intend to respond in full this week.

We were surprised by your statement that "the parties are at impasse as to Mr. Bartz and Ms. Kramer." Aug. 16 Ltr. from S. Suri to M. Nussbaum at 2. You had asked SaveOn to add Bartz and Kramer as full custodians; when we asked why they should be added as full custodians with all search terms, you did not provide an explanation. In the interest of compromise, we stated that if you provided limited search terms—targeted to the topics for which you think Bartz and Kramer might possess relevant documents—we would be happy to consider those terms and provide hit counts. You indicated that you were willing to do so.

Before J&J files any motion to compel, we ask that you explain why you believe that Bartz and Kramer should be added as full custodians with all search terms run over their documents, including why a more limited set of search terms would not be acceptable.

Thank you,

Matt

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**Matthew Nussbaum** 

Associate [Email] Selendy Gay PLLC [Web]

Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Suri, Saniya (x2226) <<u>ssuri@pbwt.com</u>>

Sent: Friday, August 16, 2024 10:29 AM

To: Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Wohlforth, E. Evans <<u>ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>sgalli@rc.com</u>>; Emma Ashe O'Toole <<u>eashe@selendygay.com</u>>; Kevin Cryan <<u>kcryan@selendygay.com</u>> Cc: Mangi, Adeel A. (x2563) <<u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) <<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; Long, Julia (x2878) <<u>jlong@pbwt.com</u>>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>; \_'jgreenbaum@sillscummis.com <<u>klieb@sillscummis.com</u>> Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Dear Counsel,

Please see the attached correspondence.

Sincerely, Saniya Suri

### Saniya Suri

Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2226

### ssuri@pbwt.com

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Wednesday, August 14, 2024 6:43 PM

**To:** Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Suri, Saniya (x2226) <<u>ssuri@pbwt.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Philippe Selendy <<u>pselendygay.com</u>>; Meredith Nelson

<<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>;

Wohlforth, E. Evans <<u>ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>sgalli@rc.com</u>>; Emma Ashe O'Toole

<eashe@selendygay.com>

Cc: Mangi, Adeel A. (x2563) <a href="mailto:samangi@pbwt.com">amangi@pbwt.com">; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">; LoBiondo, George (x2008) <globiondo@pbwt.com">; \_cg J&J-SaveOn <a href="mailto:saveOn@pbwt.com">jJSaveOn@pbwt.com</a>>; ~igreenbaum@sillscummis.com <klieb@sillscummis.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thanks for your email. Tomorrow at 4:00 p.m. works for us.

Best,

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Page 111 of 200

Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

### jlong@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Wednesday, August 14, 2024 3:05 PM

To: Long, Julia (x2878) < jlong@pbwt.com>; Suri, Saniya (x2226) < ssuri@pbwt.com>; Andrew Dunlap

<adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson

<mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>;

Document 491

Wohlforth, E. Evans <ewohlforth@rc.com>; Galli, Sabrina M. <sgalli@rc.com>; Emma Ashe O'Toole

<eashe@selendygay.com>

Cc: Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>; \_jgreenbaum@sillscummis.com

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

We are available to meet and confer at 4 p.m. tomorrow. Please let us know if that works and we will circulate a dial-in.

Thank you,

Matt

### **Matthew Nussbaum**

Associate [Email] Selendy Gay PLLC [Web] Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < ilong@pbwt.com> **Sent:** Tuesday, August 13, 2024 6:08 PM

To: Matthew Nussbaum <mnussbaum@selendygay.com>; Suri, Saniya (x2226) <ssuri@pbwt.com>; Andrew Dunlap

<adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson

<mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>;

### Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 112 of 200 PageID: 53505

Wohlforth, E. Evans < <a href="mailto:ewohlforth@rc.com">ewohlforth@rc.com</a>; Galli, Sabrina M. < <a href="mailto:sgalli@rc.com">sgalli@rc.com</a>; Emma Ashe O'Toole < <a href="mailto:eashe@selendygay.com">eashe@selendygay.com</a>

Cc: Mangi, Adeel A. (x2563) < <u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) < <u>hsandick@pbwt.com</u>>; LoBiondo, George

(x2008) <globiondo@pbwt.com>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>; <u>~jgreenbaum@sillscummis.com</u>

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thanks for your email. We disagree that it would be productive to discuss 31 custodians in a single conferral. Nonetheless, you now have our position in response to your requests that we add 26 custodians.

In an effort to avoid impasse and to plan sufficient time this week, please provide your availability for a conferral Thursday or Friday. To the extent that your colleague, Elizabeth, also would like to discuss our August 7 letter on SaveOnSP's requested search term, we are happy to add that to our agenda as well.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

### ilong@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

**Sent:** Tuesday, August 13, 2024 8:36 AM

To: Long, Julia (x2878) < <a href="mailto:long@pbwt.com">jlong@pbwt.com</a>>; Suri, Saniya (x2226) < <a href="mailto:ssuri@pbwt.com">ssuri@pbwt.com</a>>; Andrew Dunlap

<adunlap@selendygay.com>; Philippe Selendy pselendy@selendygay.com; Meredith Nelson

<<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>;

Wohlforth, E. Evans < <a href="mailto:ewohlforth@rc.com">ewohlforth@rc.com</a>; Galli, Sabrina M. < <a href="mailto:sgalli@rc.com">sgalli@rc.com</a>; Emma Ashe O'Toole <a href="mailto:eashe@selendygay.com">eashe@selendygay.com</a>

Cc: Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George

(x2008) <globiondo@pbwt.com>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>; <u>~jgreenbaum@sillscummis.com</u> <jgreenbaum@sillscummis.com>; <u>~klieb@sillscummis.com</u>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

### Good morning, Julia,

Thank you for your email. In the interest of efficiency, we propose that the meet-and-confer regarding J&J's proposed addition of five custodians take place at the same time as the anticipated meet-and-confer regarding SaveOn's July 19, 2024 proposed addition of 26 custodians.

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 113 of 200 PageID: 53506

You told us that J&J would provide its response on those custodians early this week. See Aug. 8, 2024 Email from J. Long to H. Miles. Once we have had the chance to review that response, we will propose availability for a meet-and-confer covering both sides' requests.

Thank you,

Matt

### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < <u>jlong@pbwt.com</u>> Sent: Monday, August 12, 2024 1:30 PM

To: Matthew Nussbaum <mnussbaum@selendygay.com>; Suri, Saniya (x2226) <ssuri@pbwt.com>; Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Wohlforth, E. Evans <ewohlforth@rc.com>; Galli, Sabrina M. <sgalli@rc.com>; Emma Ashe O'Toole <eashe@selendygay.com>

Cc: Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:globiondo@pbwt.com">globiondo@pbwt.com</a>; \_cg J&J-SaveOn <a href="mailto:JJSaveOn@pbwt.com">JJSaveOn@pbwt.com</a>; ~igreenbaum@sillscummis.com</a> <a href="mailto:qipreenbaum@sillscummis.com">qipreenbaum@sillscummis.com</a> <a href="mailto:qipreenbaum@sillscummis.com">qipreenbaum@sillscummis.com</a> <a href="mailto:qipreenbaum@sillscummis.com">qipreenbaum@sillscummis.com</a> <a href="mailto:qipreenbaum@sillscummis.com">qipreenbaum@sillscummis.com</a> <a href="mailto:qipreenbaum@sillscummis.com">qipreenbaum@sillscummis.com</a> <a href="mailto:qipreenbaum@sillscummis.com">qipreenbaum@sillscummis.com</a> <a href="mailto:qipreenbaum@sillscummis.com">qipreenbaum@sillscummis.com</a>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Counsel,

We are in receipt of your August 9, 2024 letter regarding our request that SaveOnSP add Jenna Quinn, Ingrid Vasquez, Brandon Bartz, Shannon Sommer, and Hailey Kramer as custodians, and would like to meet and confer. Are you available on Wednesday, August 14 after 2:00 p.m. or Thursday, August 15 between 12:00 p.m. and 3:00 p.m.?

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

### jlong@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

**Sent:** Friday, August 9, 2024 4:41 PM

To: Suri, Saniya (x2226) <ssuri@pbwt.com>; Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <a href="miles@selendygay.com">hmiles@selendygay.com">hmiles@selendygay.com</a>; Wohlforth, E. Evans <ewohlforth@rc.com>; Galli, Sabrina M. <sgalli@rc.com>; Emma Ashe O'Toole <eashe@selendygay.com>

### Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 114 of 200 PageID: 53507

Cc: Mangi, Adeel A. (x2563) <a href="mailto:samangi@pbwt.com">amangi@pbwt.com"> ; Sandick, Harry (x2723) <a href="mailto:samangi@pbwt.com"> ; LoBiondo, George (x2008) <globiondo@pbwt.com"> ; Long, Julia (x2878) <jlong@pbwt.com"> ; \_cg J&J-SaveOn <JJSaveOn@pbwt.com"> ; \_cg J&J-SaveOn <JJSaveOn@pbwt.com"> ; \_cg J&J-SaveOn@pbwt.com"> ; \_cg J&J-SaveOn@pbwt.com</a> ; \_cg J&J-SaveOn@pbwt.com"> ; \_cg J&J-SaveOn@pbwt.com</a> ; \_cg J&J-SaveOn@pbwt.com</a> > ; \_cg J&J-SaveOn@

External: Think before you click.

Good afternoon, Saniya,

Please see the attached correspondence.

Thank you,

Matt

### **Matthew Nussbaum**

Associate [Email]

Selendy Gay PLLC [Web] Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Suri, Saniya (x2226) < ssuri@pbwt.com>

**Sent:** Friday, July 19, 2024 5:10 PM

**To:** Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy selendy@selendygay.com>; Meredith Nelson
<mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <<a href="hmiles@selendygay.com">hmiles@selendygay.com</a>; Matthew Nussbaum <a href="mmiles@selendygay.com">hmiles@selendygay.com</a>; Wohlforth, E. Evans <a href="mmiles@selendygay.com">ewohlforth@rc.com</a>; Galli, Sabrina M.</a><<a href="mmiles@selendygay.com">sgalli@rc.com</a>; Emma Ashe O'Toole <a href="mmiles@selendygay.com">eashe@selendygay.com</a>>

Cc: Mangi, Adeel A. (x2563) <a href="mailto:samangi@pbwt.com">amangi@pbwt.com"> ; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com"> ; LoBiondo, George (x2008) <globiondo@pbwt.com"> ; Long, Julia (x2878) <jlong@pbwt.com"> ; \_cg J&J-SaveOn <JJSaveOn@pbwt.com"> ; \_cg J&J-SaveOn <JJSaveOn@pbwt.com"> ; \_cg J&J-SaveOn@pbwt.com"> ; \_cg J&J-SaveOn@pbwt.com</a> ; \_cg J&J-SaveOn@pbwt.com"> ; \_cg J&J-SaveOn@pbwt.com</a> ; \_cg J&J-Save

Counsel,

Please see the attached correspondence.

Sincerely, Saniya Suri

### Saniya Suri

Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2226

### ssuri@pbwt.com

From: Emma Ashe O'Toole < eashe@selendygay.com >

**Sent:** Wednesday, July 3, 2024 11:27 AM

To: Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sglobiondo@pbwt.com">globiondo@pbwt.com</a>; Suri, Saniya (x2226) <a href="mailto:ssuri@pbwt.com">ssuri@pbwt.com</a>; Long, Julia (x2878) <a href="mailto:jlong@pbwt.com">jlong@pbwt.com</a>; \_cg J&J-SaveOn <a href="mailto:ssuri@pbwt.com">jgreenbaum@sillscummis.com</a>; \_igreenbaum@sillscummis.com <a href="mailto:sglobiondo@pbwt.com">jgreenbaum@sillscummis.com</a>; \_igreenbaum@sillscummis.com <a href="mailto:sglobiondo@pbwt.com">klieb@sillscummis.com</a>; \_igreenbaum@sillscummis.com

Document 491

PageID: 53508

**Cc:** Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy cselendy@selendygay.com; Meredith Nelson<mnelson@selendygay.com</pre>; Elizabeth Snow <a href="mailto:esnow@selendygay.com">esnow@selendygay.com</a>; Hannah Miles <a href="mailto:hmiles@selendygay.com">hmiles@selendygay.com</a>; Matthew Nussbaum <a href="mailto:mnussbaum@selendygay.com">hmiles@selendygay.com</a>; Wohlforth, E. Evans <a href="mailto:ewohlforth@rc.com">ewohlforth@rc.com</a>; Galli, Sabrina M.</a><a href="mailto:sgalli@rc.com">esgalli@rc.com</a>

Subject: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Counsel,

Please find attached a letter in the above-captioned matter.

Best, Emma

### Emma Ashe O'Toole

Associate [Email] Selendy Gay PLLC [Web] Pronouns: she, her, hers

+1 212.390.9339 [O]

+1 646.417.3643 [M]

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### Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 116 of 200 PageID: 53509

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### MOTION TO COMPEL ADDITIONAL CUSTODIANS

### **EXHIBITS 42-51**

### FILED UNDER PERMANENT SEAL

### Exhibit 52

10:16 ... LTE 83



# DOWN WITH Express Scripts and Accredo!

Sean Klinetobe · Dec 29, 2022 · 💽

Anyone else gotten a call from someone at SAVEONSP? Apparently they're partnering with acreedo, and your insurance to more or less force you to get a manufacturer copay card, and if you don't have one or there isn't one available your specialty Med can now cost you as much as 30% of the price of the drug?

5 comments



Comment Comment





### Top comments ~



### **Ashley Brown**

I found this group because of this weird BS. It seems extremely fishy to me that they're forcing us to do this.

14w Like Reply



**Amy Jay** 



Write a comment...



















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Marketplace Notifications

10:19 ... LTE 83



# DOWN WITH Express Scripts and Accredo!

Rebecca Jones · Feb 15 · 💽



Maureen Curry

Michael Meyer yep

3w Like Reply



Write a reply...



### **Ted Mighells**

You do have the option of declining enrollment. It's not mandatory. But the cost share of your medication is such that you don't want to opt out as you will max out the copay program. You're insurance is through an employer that is self funded. What that means is they pay the full cost of your medication minus your copay or coinsurance. So they guarantee that you will never pay anything as your employer who would be paying it any way pays it. I used to be the training supervisor for SOSP. I can answer your questions. Feel free to DM me as they monitor this group. I'm one of the few here that actually has experience with SOSP and accredo that isn't afraid to show my name lol. Also remember SOSP doesn't work for you they work to save your employer money. You're just stuck in the middle.

8w Like Reply







Write a comment...



















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# Exhibit 53

Avant Building - Suite 900 | 200 Delaware Avenue | Buffalo, NY 14202-2107 | bsk.com

MARK A. MOLDENHAUER, ESQ.

mmoldenhauer@bsk.com P: 716-416-7036 F: 716-416-7336

May 26, 2023

Mr. Theodore Mighells 5768 Broadway Street, Apt. Right Lancaster, NY 14086

Re: Notice to Cease and Desist

> SaveOnSP, LLC 40 LaRiverie Drive

Dear Mr. Mighells:

SaveOnSP, LLC is a benefit management company contracted by pharmacy benefit managers and employers to assist with the administration of their various prescription benefit plans.

It has been brought to our attention that post termination of your employment, September 23, 2022, you have on one or more occasions given advice and assistance to customers of SaveOnSP using information you obtained while employed by SaveOnSP, LLC. This is in clear violation of the company's Data Privacy and Security policy, which you attested to having reviewed, requiring you to keep confidential all company data, policies, procedures and trade secrets during and after your employment.

In addition, you have on one or more occasions publicly disparaged the SaveOnSP name and the services it provides to its many customers.

Continuing to proceed in this manner may cause harm to the customer and SaveOnSP. Further, disseminating protectible information belonging to SaveOnSP violates its property rights and is very clearly being done in an attempt to damage the company and its reputation.

By this letter, you are hereby directed to immediately cease and desist your unauthorized use and disclosure of any confidential and trade secret information obtained by you as a result of your former employment at SaveOnSP. You are also directed to cease and desist holding yourself out as an agent of SaveOnSP or someone otherwise authorized to speak on behalf of SaveOnSP's policies and practices.

SaveOnSP reserves all rights with respect to your failure to comply with this cease and desist demand, including but not limited to seeking monetary damage and equitable relief for any past and continued damaging activity. Please be advised that SaveOnSP will also seek injunctive relief and payment of all attorney fees. Your liability and exposure under such legal action could be considerable.

Mr. Meghells May 26, 2023 Page 2

In an effort to avoid potential legal action and to provide SaveOnSP assurances that you are no longer engaging in the improper activities described above, it is requested that you contact Jody Miller at 716-440-0192. You are also to notify SaveOnSP immediately if you have shared company information or of any attempts by outside parties to obtain such information.

In the meantime, SaveOnSP wishes to give you the opportunity to discontinue this damaging conduct by complying with this demand immediately. Thank you for your compliance in this important matter.

Very truly yours,

BOND, SCHOENECK & KING, PLLC

Mark A. Moldenhauer

Member

MAM/tsh

## Exhibit 54

Document 491 PageID: 53518

www.pbwt.com



May 24, 2024

Bonita L. Robinson (212) 336-2554

### **By Email**

Meredith Nelson, Esq. Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104

> SaveOnSP's Responses & Objections to JJHCS's 12th Set of Requests Re: for Production,

Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC, Case No. 2:22-cv-02632 (JKS) (CLW)

### Dear Meredith:

We write to memorialize our conferral on May 20, 2024 regarding SaveOnSP's Responses & Objections to JJHCS's Twelfth Set of Requests for Production and further to our correspondence regarding the same. We also request, again, that SaveOnSP provide hit counts, individually and in the aggregate, for each of our proposed searches. See Apr. 12, 2024 Ltr. from I. Eppler to E. Snow.

As you know, SaveOnSP asserted in its R&Os that it would not produce any documents at all in response to any of JJHCS's seven Requests. During the meet and confer, you stated that you have investigated or are in the process of investigating the matters underlying each of JJHCS's Requests; that SaveOnSP is amenable to producing a subset of the requested documents; and that you will make counterproposals to JJHCS shortly after the Memorial Day holiday. Below, we have summarized specific items we discussed as to each Request.

Request No. 116. This Request seeks "[a]ll Documents or Communications regarding any actual or contemplated efforts to provide money, gift cards, or any other benefit to any person enrolled in a health or pharmacy benefit plan offered by a SaveOnSP Client, as an incentive to enroll in or use the SaveOnSP Program or any other service that SaveOnSP offers or provides." You stated that you are investigating this Request and noted that JJHCS's proposed search terms generate approximately 40,000 documents. You intend to make a counterproposal. You also noted that your investigation has not thus far uncovered evidence of discussions of incentives for member enrollment other than gift cards. Please confirm the results of your investigation.

Meredith Nelson, Esq. May 24, 2024 Page 2

Request No. 117. This Request seeks "[a]ll Documents and Communications related to the 'talk track' regarding the 'Johnson & Johnson . . . lawsuit against SaveOnSP' described in SOSP\_0815168, as well as all Documents and Communications related to any other 'talk track' regarding this Action." You confirmed that you understand the Request to cover documents and communications relating to drafts of the referenced "talk track," not merely final, circulated versions. You further stated that you have extensively investigated the subject of this Request and represented that, while you still have further investigation to do, at this time you do not believe that a "talk track" was actually drafted or circulated. Please confirm the final results of your investigation. You further stated JJHCS's proposed search terms for this Request only hit on one document. Please confirm that you will produce that document if it is responsive.

Request No. 118. This Request seeks "[d]ocuments sufficient to show SaveOnSP's document retention policies, including but not limited to all final versions of any document retention policy that SaveOnSP may have maintained during the Relevant Time Period." You stated that you have identified case law that you believe may be relevant this Request; we remain willing to consider such authority. You further agreed that there presently are some "issues" on SaveOnSP's end regarding, at a minimum, the retention of text messages. We also note that during the course of discovery, you have identified a number of issues related to SaveOnSP's retention of certain data. *See*, *e.g.*, Jan. 10, 2024 Ltr. from J. Long to E. Snow (deleted transaction data); Jan. 26, 2024 Ltr. from S. Arrow to E. Snow (deleted Chatter messages). You also acknowledged the Request is not burdensome, because such policies likely would be located in a centralized noncustodial source. Finally, you suggested that it is not necessary to employ search terms in connection with this Request. As we stated, we are willing to consider a counterproposal.

Request Nos. 119–22. We discussed certain issues applicable to Requests 119–22. We explained that these Requests were the product of our efforts to narrow prior Requests (Nos. 95 and 96) to comply with guidance from Special Master Wolfson, and you recognized that these Requests reflect such efforts. You further noted that our proposed search terms for these four requests hit on roughly 17,000 to 20,000 documents when run across all custodians. You suggested that, in connection with these Requests, search terms should be run only on a subset of custodians because the Requests seek documents and communications that likely would have been discussed among only a handful of individuals at a higher level of the company. We stated that we are open to considering a narrower custodian list, but that we would need to understand on what basis you have identified the relevant custodians.

We also discussed matters specific to certain of these four Requests.

As to **Request No. 120**, which seeks, "[f]or the period May 1, 2022 to the present, all Documents and Communications related to any actual or contemplated efforts to prevent employees from discussing patient harm associated with the SaveOnSP Program, or JJHCS's claims or allegations regarding SaveOnSP at issue in this Action, outside of SaveOnSP," you contended that the Request is similar to an interrogatory to which SaveOnSP has previously responded. You acknowledged that this Request differs from the interrogatory in question because

Meredith Nelson, Esq. May 24, 2024 Page 3

the latter did not encompass "contemplated efforts," but noted that you were not aware of any such contemplated efforts. You intend to share a counterproposal to address this Request. We stated that we would be willing to consider a counterproposal, but that we would not agree to any counterproposal without understanding how you sought to identify "contemplated efforts" to prevent employees from discussing patient harm associated with the SaveOnSP Program, or JJHCS's claims or allegations regarding SaveOnSP at issue in this Action.

As to **Request No. 121**, which seeks, "[f]or the period May 1, 2022 to the present, all Documents and Communications concerning any contemplated or actual efforts to discipline, fire, sue, retaliate against, or take any other adverse action against Theodore Mighells or Paula Mighells, including but not limited to all draft or final versions of the 'two letters' sent to Mr. Mighells related to his confidentiality obligations," you agreed that the documents sought are relevant in light of remarks that you made to the Special Master on the subject. You stated that you have conducted extensive investigation with respect to the subject matter of this Request and intend to make a counterproposal. You also represented that this Request, in particular, involved decisions at a very high level of the company. We pointed out that custodians who were not at a high level (like Paula Mighells) would also be appropriate.

As to **Request No. 122**, which seeks "[f]or the period May 1, 2022 to the present, all Documents and Communications concerning any contemplated or actual efforts to enforce against any person (other than Theodore Mighells or Paula Mighells) any confidentiality or nondisclosure policy that SaveOnSP may have maintained," you stated that our proposed search terms were hitting on "many" documents and that you were not inclined to agree to those terms because SaveOnSP had already represented that it did not take actual enforcement action against persons other than Mr. Mighells and that you were not presently aware of any contemplated actions. You will identify whether particular search terms are responsible for generating many of the hits and intend to share a counterproposal. We emphasized, as with respect to Request No. 120, that we would be willing to consider a counterproposal but that we would not agree to any such proposal without an understanding of how you fully investigated the existence of any contemplated enforcement efforts. Moreover, to the extent SaveOnSP did contemplate such efforts, the relevant custodians may be broader than senior employees.

We look forward to receiving hit count information and your counterproposals.

Very truly yours,

/s/ Bonita Robinson Bonita L. Robinson

## Exhibit 55

Case 2.22-cv-02032-CCC-CLVV

### Long, Julia (x2878)

From: Kevin Cryan <kcryan@selendygay.com>

**Sent:** Friday, August 9, 2024 4:33 PM

**To:** Robinson, Bonita (x2554); Meredith Nelson; Philippe Selendy; Andrew Dunlap; Elizabeth

Document 491

PageID: 53522

Snow; Hannah Miles; Matthew Nussbaum; Taylor Stone; Wohlforth, E. Evans; Galli,

Sabrina M.

Cc: Mangi, Adeel A. (x2563); Sandick, Harry (x2723); LoBiondo, George (x2008); Long, Julia

(x2878); ~jgreenbaum@sillscummis.com; ~klieb@sillscummis.com; \_cg J&J-SaveOn

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

Attachments: 2024.08.09 Per-Custodian Hit Counts re J\_I's RFP Nos. 119-121.pdf

External: Think before you click.

Bonnie,

Please find attached the requested additional per-custodian hit counts.

As you know, Paula Mighells is not an existing custodian, so to provide the hit counts you have requested for her would require SaveOn to undertake the burden of collecting and processing her documents. Given the at best marginal relevance of J&J's request, we decline to do so.

Based on our investigation to date, the three executives we identified were the ones with substantive involvement with the decision to terminate Mighells. One additional executive may have communicated with Paula Mighells regarding her termination after SaveOn's CEO, Rob Saeli, retired, but we understand that this executive's involvement was limited. We believe that our previous offer to review and produce documents from the three top executives who were involved in the decision to update SaveOn's confidentiality policy and to terminate Mighells's employment—exactly what J&J's counsel told the Court it was seeking—is more than sufficient.

Best, Kevin

### **Kevin Cryan**

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Robinson, Bonita (x2554) <br/> <br/>brobinson@pbwt.com>

Sent: Wednesday, August 7, 2024 11:04 PM

To: Kevin Cryan <a href="https://kcryan@selendygay.com">kcryan@selendygay.com</a>; Meredith Nelson <mnelson@selendygay.com</a>; Philippe Selendy yeslendy@selendygay.com</a>; Elizabeth Snow <esnow@selendygay.com</pre>; Hannah Miles <a href="https://www.com">https://www.com</a>; Matthew Nussbaum <a href="https://www.com">https://www.com</a>; Taylor Stone </a> tstone@selendygay.com; Wohlforth, E. Evans <Ewohlforth@rc.com</pre>; Galli, Sabrina M. <SGalli@rc.com</pre>
Cc: Mangi, Adeel A. (x2563) <a href="https://www.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="https://www.com">https://www.com</a>; LoBiondo, George (x2008) <globiondo@pbwt.com</p>; Julia (x2878) <jlong@pbwt.com</pre>; ~jgreenbaum@sillscummis.com

### Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 130 of 200 PageID: 53523

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn
<JJSaveOn@pbwt.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

Counsel,

We asked you to "provide a breakdown of search hits by custodian *for each of JJHCS' proposed search terms*, as well as for the narrowed term that SaveOnSP has proposed in connection with Request No. 121." *See* June 12, 2024 Ltr. from B. Robinson to M. Nelson at 2 (emphasis added). You have not provided us with that breakdown, so that we are still unable to reasonably evaluate your proposal to limit your searches for each of these RFPs to just three custodians. Please provide by Friday the hit count breakdown that we requested and that you agreed to share.

You also continue to ignore our request for hit counts relating to Paula Mighells and our explanation why Ms. Mighells is a necessary custodian at least as to RFP No. 121. *See* June 25, 2024 Ltr. from B. Robinson to M. Nelson at 3; July 11, 2024 Ltr. from B. Robinson to M. Nelson at 2; July 24, 2024 Ltr. from B. Robinson to M. Nelson at 1. Please provide hit counts by search term for Ms. Mighells, as well, and explain why she is not an appropriate custodian—particularly in light of your refusal to confirm that any communications from SaveOnSP to her regarding the subject matter of RFP No. 121 would have come from Jody Miller, Claudia Dunbar, or Robert Saeli.

Best, Bonnie

### Bonita L. Robinson

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Kevin Cryan < kcryan@selendygay.com >

Sent: Monday, August 5, 2024 6:13 PM

To: Robinson, Bonita (x2554) <<u>brobinson@pbwt.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>
Cc: Mangi, Adeel A. (x2563) <<u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) <<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; Long, Julia (x2878) <<u>jlong@pbwt.com</u>>; <u>"jgreenbaum@sillscummis.com</u> <<u>jgreenbaum@sillscummis.com</u>>; <u>"klieb@sillscummis.com</u> <<u>klieb@sillscummis.com</u>>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com></u>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

Bonnie,

Please see the attached correspondence.

Best,

Kevin

**Kevin Cryan** 

Law Clerk [Email] Selendy Gay PLLC [Web] Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Robinson, Bonita (x2554) <br/> <br/>brobinson@pbwt.com>

Sent: Friday, August 2, 2024 6:21 PM

To: Kevin Cryan <a href="kcryan@selendygay.com">kcryan@selendygay.com</a>; Meredith Nelson <a href="mailto:mnelson@selendygay.com">mnelson@selendygay.com</a>; Philippe Selendy <pselendy@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <a href="mailto:hmiles@selendygay.com">hmiles@selendygay.com</a>; Taylor Stone <tstone@selendygay.com>; Wohlforth, E. Evans <Ewohlforth@rc.com>; Galli, Sabrina M. <SGalli@rc.com> Cc: Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; ~jgreenbaum@sillscummis.com <jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; cg J&J-SaveOn <JJSaveOn@pbwt.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

Thanks, Kevin.

From: Kevin Cryan < kcryan@selendygay.com>

Sent: Friday, August 2, 2024 6:20 PM

To: Robinson, Bonita (x2554) <a href="mailto:krobinson@pbwt.com">krobinson@pbwt.com</a>; Meredith Nelson <a href="mailto:krobinson@selendygay.com">krobinson@pbwt.com</a>; Meredith Nelson <a href="mailto:krobinson@pbwt.com">krobinson@pbwt.com</a>; Meredith Nelson <a href="mailto:krobinson@pbwt.com">krobinson@pbwt.com</a>; Meredith Nelson <a href="mailto:krobinson@pbwt.com">krobinson@pbwt.com</a>; Meredith Nelson <a href="mailto:krobinson@pbwt.com">krobinson@pbwt.com</a>; Philippe Selendy <pselendy@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <a href="mailto:hmiles@selendygay.com">hmiles@selendygay.com</a>; Taylor Stone <tstone@selendygay.com>; Wohlforth, E. Evans <Ewohlforth@rc.com>; Galli, Sabrina M. <SGalli@rc.com> Cc: Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; ~jgreenbaum@sillscummis.com <igreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; cg J&J-SaveOn <JJSaveOn@pbwt.com>

Subject: Re: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

External: Think before you click.

Bonnie,

Thank you for following up. We anticipate sending these hit counts Monday. Our eDiscovery team encountered a tech issue that took longer than anticipated to resolve.

Best, Kevin

**Kevin Cryan** 

Law Clerk [Email] Selendy Gay PLLC [Web] Pronouns: he/him/his

+1 212.390.9373 [O] +1 332.201.6763 [M]

From: Robinson, Bonita (x2554) < brobinson@pbwt.com>

Sent: Friday, August 2, 2024 6:10 PM

To: Kevin Cryan <kcryan@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Philippe Selendy <pselendy@

Document 491

PageID: 53525

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

Kevin,

If you have received the per-custodian hit counts in connection with our 12<sup>th</sup> set of RFPs, which we asked for long ago and which you requested of your e-Discovery team last week, please send them to us as promised below. If you have not received them, please let us know when you anticipate you will provide them.

Best, Bonnie

Bonita L. Robinson

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Kevin Cryan < kcryan@selendygay.com >

Sent: Monday, July 29, 2024 5:17 PM

To: Robinson, Bonita (x2554) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Meredith Nelson < <a href="mailto:mnelson@selendygay.com">mnelson@selendygay.com</a>; Philippe Selendy < <a href="mailto:selendygay.com">pselendygay.com</a>; Andrew Dunlap < <a href="mailto:adunlap@selendygay.com">adunlap@selendygay.com</a>; Elizabeth Snow < <a href="mailto:esnow@selendygay.com">esnow@selendygay.com</a>; Taylor Stone < <a href="mailto:testone@selendygay.com">taylor Stone</a> <a href="mailto:testone@se

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

External: Think before you click.

Bonnie,

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 133 of 200 PageID: 53526

We are in receipt of your letter. We sent your request for per-custodian hit counts to our e-Discovery team last week, but we have not received them yet. We will send those hit counts as soon as we have them and will respond to your letter at that time.

Thanks, Kevin

### **Kevin Cryan**

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O] +1 332.201.6763 [M]

From: Robinson, Bonita (x2554) <br/> <br/>brobinson@pbwt.com>

Sent: Wednesday, July 24, 2024 3:45 PM

To: Kevin Cryan <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Meredith Nelson <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Andrew Dunlap <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Elizabeth Snow <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Elizabeth Snow <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Matthew Nussbaum <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Taylor Stone <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Salli, Sabrina M. <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Lone Sabrina M. <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Salli, Sabrina M. <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Lone Sabrina M. <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Sabrina M. <a href="mailto:kcryan@selendygay.com">kcryan

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

Meredith and Kevin,

Please see the attached letter.

Best, Bonnie

### Bonita L. Robinson

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Kevin Cryan < kcryan@selendygay.com>

Sent: Friday, July 19, 2024 12:37 PM

To: Robinson, Bonita (x2554) <<u>brobinson@pbwt.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>
Cc: Mangi, Adeel A. (x2563) <<u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) <<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; Long, Julia (x2878) <<u>jlong@pbwt.com</u>>; <u>"jgreenbaum@sillscummis.com</u> <<u>igreenbaum@sillscummis.com</u>>; <u>"klieb@sillscummis.com</u> <<u>klieb@sillscummis.com</u>>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

External: Think before you click.

Bonnie,

Please see the attached correspondence.

Best,

Kevin Cryan

### **Kevin Cryan**

Law Clerk [Email] Selendy Gay PLLC [Web] Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

**From:** Robinson, Bonita (x2554) < <u>brobinson@pbwt.com</u>>

Sent: Thursday, July 11, 2024 11:33 AM

To: Kevin Cryan < kcryan@selendygay.com >; Meredith Nelson < mnelson@selendygay.com >; Philippe Selendy < pselendy@selendy@selendy@ay.com >; Andrew Dunlap < adunlap@selendy@ay.com >; Elizabeth Snow < esnow@selendy@ay.com >; Hannah Miles < hmiles@selendy@gay.com >; Matthew Nussbaum < mnussbaum@selendy@gay.com >; Taylor Stone < tstone@selendy@gay.com >; Wohlforth, E. Evans < worders = wohlforth@rc.com >; Galli, Sabrina M. < worders = SGalli@rc.com > Cc: Mangi, Adeel A. (x2563) < aamangi@pbwt.com >; Sandick, Harry (x2723) < hsandick@pbwt.com >; LoBiondo, George (x2008) < globiondo@pbwt.com >; Long, Julia (x2878) < jlong@pbwt.com >; ~ jgreenbaum@sillscummis.com < jgreenbaum@sillscummis.com >; ~ klieb@sillscummis.com < klieb@sillscummis.com >; \_ cg J&J-SaveOn < JJSaveOn@pbwt.com >

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW) - JJHCS's 12th Set of RFPs

Counsel,

Please see the attached correspondence.

Best, Bonnie

### **Bonita L. Robinson**

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Kevin Cryan < kcryan@selendygay.com >

Sent: Wednesday, July 3, 2024 9:36 AM

**To:** Robinson, Bonita (x2554) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Mangi, Adeel A. (x2563) < <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; LoBiondo, George (x2008) < <a href="mailto:globiondo@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031)

<sarrow@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; ~jgreenbaum@sillscummis.com

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn

<JJSaveOn@pbwt.com>

### Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 135 of 200 PageID: 53528

**Cc:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Bonnie,

Please see the attached correspondence.

Best, Kevin Cryan

### **Kevin Cryan**

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Robinson, Bonita (x2554) < brobinson@pbwt.com>

Sent: Monday, July 1, 2024 9:50 AM

To: Kevin Cryan <a href="kcryan@selendygay.com">kcryan@selendygay.com">kcryan@selendygay.com</a>; Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">kom</a>; Cglobiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">sarrow@pbwt.com</a>; Cglobiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">sarrow@pbwt.com</a>; Cglobiondo@pbwt.com</a>; Cgl

**Cc:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Kevin,

Please provide your response no later than July 3 to avoid further delaying resolution of SaveOnSP's responses and objections to JJHCS's requests. We met and conferred about this set of RFPs six weeks ago.

Best, Bonnie

**Bonita L. Robinson** 

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

Sent: Friday, June 28, 2024 4:42 PM

From: Kevin Cryan < kcryan@selendygay.com>

To: Robinson, Bonita (x2554) <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry

(x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Arrow, Sara (x2031)

<sarrow@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; ~jgreenbaum@sillscummis.com

<igreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn

<JJSaveOn@pbwt.com>

<adunlap@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Taylor Stone <tstone@selendygay.com>; Wohlforth, E. Evans <Ewohlforth@rc.com>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Bonnie,

We are in receipt of your June 25, 2024 letter and will respond in due course.

Best, Kevin

### **Kevin Cryan**

Law Clerk [Email] Selendy Gay PLLC [Web] Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Robinson, Bonita (x2554) <br/> <br/>brobinson@pbwt.com>

Sent: Tuesday, June 25, 2024 11:53 AM

To: Kevin Cryan <a href="mailto:kcryan@selendygay.com">kcryan@selendygay.com</a>; Mangi, Adeel A. (x2563) <a href="mailto:kcryan@selendygay.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; Long, Julia (x2878) < <u>ilong@pbwt.com</u>>; <u>~jgreenbaum@sillscummis.com</u> < <u>jgreenbaum@sillscummis.com</u>>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>

Cc: Meredith Nelson <a href="mailto:knowledge-nd/gay.com">
https://doi.org/10.1007/j.com</a>; Philippe Selendy <a href="mailto:knowledge-nd/gay.com">
https://doi.org/10.1007/j.com</a>; Andrew Dunlap <adunlap@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Taylor Stone <tstone@selendygay.com>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Kevin and Meredith,

Please see the attached letter.

Best, **Bonnie** 

Filed 01/07/25

Page 137 of 200

**Bonita L. Robinson** 

She | Her | Hers

#### Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Kevin Cryan < kcryan@selendygay.com >

**Sent:** Friday, June 21, 2024 5:32 PM

**To:** Robinson, Bonita (x2554) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Mangi, Adeel A. (x2563) < <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) < <a href="mailto:ksandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) < <a href="mailto:globiondo@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031)

Document 491

PageID: 53530

<sarrow@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; ~jgreenbaum@sillscummis.com

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn

<JJSaveOn@pbwt.com>

**Cc:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Bonnie,

Please see the attached correspondence.

Best, Kevin Cryan

### **Kevin Cryan**

Law Clerk [Email] Selendy Gay PLLC [Web] Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Kevin Cryan

Sent: Friday, June 14, 2024 12:34 PM

To: Robinson, Bonita (x2554) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Mangi, Adeel A. (x2563) < <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry

(x2723) < hsandick@pbwt.com >; LoBiondo, George (x2008) < globiondo@pbwt.com >; Arrow, Sara (x2031)

<<u>sarrow@pbwt.com</u>>; Long, Julia (x2878) <<u>ilong@pbwt.com</u>>; <u>~igreenbaum@sillscummis.com</u>

<jgreenbaum@sillscummis.com</p>; <a href="mailto:com">cylieb@sillscummis.com</a><a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a><a href="mailto:com">cylieb@sillscummis.com</a><a href="mailto:com">cylieb@sillscummis.com</

<JJSaveOn@pbwt.com>

**Cc:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Bonnie,

We are in receipt of your June 12 letter and are continuing to investigate these issues and discuss with our client. For clarity, the parties are not at impasse on any of the issues described in your letter.

We intend to respond next week.

Thanks, Kevin

**Kevin Cryan** 

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Robinson, Bonita (x2554) < brobinson@pbwt.com >

Sent: Wednesday, June 12, 2024 5:32 PM

**To:** Kevin Cryan < kcryan@selendygay.com >; Mangi, Adeel A. (x2563) < aamangi@pbwt.com >; Sandick, Harry (x2723) < hsandick@pbwt.com >; LoBiondo, George (x2008) < globiondo@pbwt.com >; Arrow, Sara (x2031) < sarrow@pbwt.com >; Long, Julia (x2878) < jlong@pbwt.com >; ^jgreenbaum@sillscummis.com < jgreenbaum@sillscummis.com >; cg J&J-SaveOn@pbwt.com >

**Cc:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Counsel,

Please see the attached letter.

Best, Bonnie

Bonita L. Robinson

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Kevin Cryan < kcryan@selendygay.com >

Sent: Friday, June 7, 2024 6:44 PM

**To:** Robinson, Bonita (x2554) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Mangi, Adeel A. (x2563) < <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) < <a href="mailto:kapbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) < <a href="mailto:globiondo@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031)

<sarrow@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; ~jgreenbaum@sillscummis.com

</greenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; cg J&J-SaveOn

<JJSaveOn@pbwt.com>

**Cc:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>;

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 139 of 200 PageID: 53532

Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Counsel,

Please see the attached correspondence.

Best, Kevin Cryan

**Kevin Cryan** 

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O]

+1 332.201.6763 [M]

From: Robinson, Bonita (x2554) < brobinson@pbwt.com>

Sent: Thursday, June 6, 2024 10:30 AM

To: Kevin Cryan < kcryan@selendygay.com >; Mangi, Adeel A. (x2563) < aamangi@pbwt.com >; Sandick, Harry (x2723) < hsandick@pbwt.com >; LoBiondo, George (x2008) < globiondo@pbwt.com >; Arrow, Sara (x2031) < sarrow@pbwt.com >; Long, Julia (x2878) < jlong@pbwt.com >; ~jgreenbaum@sillscummis.com < jgreenbaum@sillscummis.com >; ~klieb@sillscummis.com >; \_cg J&J-SaveOn@pbwt.com >; Cg J&J-SaveOn@pbwt.com >; Andrew Dunlap

**Cc:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Esti Ness <<u>eness@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>Ewohlforth@rc.com</u>>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Kevin,

Thanks for providing this hit report. Please provide a deduplicated total (with and without families) for all of the terms by tomorrow, by when we also expect to receive your counterproposals regarding this set of requests for production.

Best, Bonnie

From: Kevin Cryan < kcryan@selendygay.com >

Sent: Wednesday, June 5, 2024 3:08 PM

**To:** Robinson, Bonita (x2554) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Mangi, Adeel A. (x2563) < <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; CoBiondo, George (x2008) < <a href="mailto:globinson@pbwt.com">globinson@pbwt.com</a>; Arrow, Sara (x2031)

<sarrow@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; ~jgreenbaum@sillscummis.com

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn

<JJSaveOn@pbwt.com>

**Cc:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap

### Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 140 of 200 PageID: 53533

<aduniap@selendygay.com>; Esti Ness <<u>eness@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>twohlforth@rc.com</u>>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Bonnie,

Please find attached the requested hit counts for J&J's proposed search terms, which accompanied the 12<sup>th</sup> RFPs.

Best, Kevin

### **Kevin Cryan**

Law Clerk [Email]
Selendy Gay PLLC [Web]
Pronouns: he/him/his

+1 212.390.9373 [O] +1 332.201.6763 [M]

From: Robinson, Bonita (x2554) <br/>
brobinson@pbwt.com>

Sent: Tuesday, June 4, 2024 11:08 AM

**To:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Taylor Stone <<u>tstone@selendygay.com</u>>; Wohlforth, E. Evans <<u>EWohlforth@rc.com</u>>; Galli, Sabrina M. <SGalli@rc.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Meredith,

During our conferral on May 20, you referred to hit counts you had run for the search terms we identified. At a minimum, please provide the hit counts for those search terms today.

Best, Bonnie

#### **Bonita L. Robinson**

She | Her | Hers

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 141 of 200 PageID: 53534

From: Meredith Nelson <mnelson@selendygay.com>

Sent: Friday, May 31, 2024 12:15 PM

**To:** Robinson, Bonita (x2554) < <a href="mailto:brobinson@pbwt.com">brobinson@pbwt.com</a>; Philippe Selendy <a href="mailto:selendygay.com">selendygay.com</a>; Andrew Dunlap <a href="mailto:dunlap@selendygay.com">dunlap@selendygay.com</a>; Hannah Miles <a href="mailto:hmiles@selendygay.com">hmiles@selendygay.com</a>; Matthew Nussbaum <a href="mailto:selendygay.com">mussbaum@selendygay.com</a>; Taylor Stone <a href="mailto:tstone@selendygay.com">tstone@selendygay.com</a>; Wohlforth, E. Evans <a href="mailto:Ewohlforth@rc.com">EWohlforth@rc.com</a>; Galli, Sabrina M. <a href="mailto:selendygay.com">SGalli@rc.com</a>>

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">; LoBiondo, George (x2008) <a href="mailto:sglobiondo@pbwt.com">; Long, Julia (x2878) <a href

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Bonnie,

We expect to provide our proposal next week.

Thanks, Meredith

### **Meredith Nelson**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: she, her, hers

+1 212.390.9069 [O] +1 918.200.3148 [M]

From: Robinson, Bonita (x2554) <br/> <br/>brobinson@pbwt.com>

Sent: Friday, May 31, 2024 10:45 AM

**To:** Philippe Selendy selendy@selendygay.com; Andrew Dunlap <adunlap@selendygay.com</pre>; Meredith Nelson <mnelson@selendygay.com</pre>; Elizabeth Snow <a href="esselendygay.com">esselendygay.com</a>; Hannah Miles <a href="hmiles@selendygay.com">hmiles@selendygay.com</a>; Matthew Nussbaum</a> <a href="mailto:selendygay.com">esselendygay.com</a>; Taylor Stone <a href="mailto:tstone@selendygay.com">tstone@selendygay.com</a>; Wohlforth, E. Evans <a href="mailto:Ewohlforth@rc.com">EWohlforth@rc.com</a>; Galli, Sabrina M. <a href="mailto:sGalli@rc.com">SGalli@rc.com</a>>

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sarrow@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">sarrow@pbwt.com</a>; Long, Julia (x2878) <a href="mailto:jlong@pbwt.com">jlong@pbwt.com</a>; <a href="mailto:jlong@pbwt.com">ilong@pbwt.com</a>; <a href="mailto:hsandick@pbwt.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">com</a>; <a href="mailto:kli

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Meredith,

Based on our discussion on Monday, May 20, we were expecting counterproposals and additional information from SaveOnSP regarding JJHCS's twelfth set of requests for production earlier this week. Please send them today.

Best, Bonnie Document 491 Filed 01/07/25 PageID: 53535

Page 142 of 200

**Bonita L. Robinson** 

She | Her | Hers

#### Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

From: Robinson, Bonita (x2554)
Sent: Friday, May 24, 2024 4:00 PM

To: 'Philippe Selendy' com; 'Andrew Dunlap' <adunlap@selendygay.com</pre>; 'Meredith Nelson'
<mnelson@selendygay.com</pre>; 'Elizabeth Snow' <esnow@selendygay.com</p>; 'Hannah Miles' <<a href="hmiles@selendygay.com">hmiles@selendygay.com</a>; 'Matthew Nussbaum' <a href="mmiles@selendygay.com">mnussbaum@selendygay.com</a>; 'Taylor Stone' <a href="mmiles@selendygay.com">tstone@selendygay.com</a>; 'Wohlforth, E. Evans'
<EWohlforth@rc.com</a>; 'Galli, Sabrina M.' <SGalli@rc.com</a>>

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">; LoBiondo, George (x2008) <a href="mailto:sglobiondo@pbwt.com">; Long, Julia (x2878) <a href

Subject: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Counsel,

Please see the attached correspondence.

Best, Bonnie

#### **Bonita L. Robinson**

She | Her | Hers

### Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2554

brobinson@pbwt.com | www.pbwt.com

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# Exhibit 56

www.pbwt.com



August 22, 2024

Bonita L. Robinson (212) 336-2554

#### By Email

Meredith Nelson, Esq. Selendy Gay PLLC 1290 Avenue of the Americas New York, NY 10104

> Addition of Paula Mighells as a Custodian Re:

Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC,

Case No. 2:22-cv-02632 (JKS) (CLW)

Dear Meredith:

We write to request that SaveOnSP add Paula Mighells as a full custodian.

Ms. Mighells was a long-tenured SaveOnSP employee, working for the company from at least 2019 to at least mid-2023 as both a member services representative and a quality assurance auditor. In those roles, Ms. Mighells regularly

Mighells also had significant responsibility for training other SaveOnSP personnel and for auditing SaveOnSP representatives' communications with members and manufacturers and identifying and addressing perceived problems with those communications. As such, her custodial documents are highly likely to contain documents and information that are responsive to JJHCS's existing discovery requests and that concern a number of subjects relevant to this litigation.<sup>1</sup>

For example, SaveOnSP's productions to date demonstrate that throughout her tenure at SaveOnSP Ms. Mighells routinely encountered and recognized the harm caused to members by SaveOnSP's and its partners' conduct. See, e.g., SOSP 0683762

); SOSP 1405368 ); SOSP\_0716137 ( "); see also SOSP 2117807 (

<sup>1</sup> Given her roles at SaveOnSP, Ms. Mighells's custodial documents are likely to contain documents and information responsive to at least JJHCS's Request Nos. 5, 6, 7, 8, 10, 13, 23, 24, 28, 30, 33, 34, 53, 54, 77, 78, 79, 80, 93, 99, 119, 120, 121, 131, and 132.

Document 491 PageID: 53540

Meredith Nelson, Esq. August 22, 2024 Page 2

). Documents and communications on this subject are central to JJHCS's GBL claim and clearly responsive to JJHCS's existing discovery requests. *See, e.g.*, Request Nos. 7, 8, 28, 30, 33, 34, 73, 77, 78, 93.

SaveOnSP's productions also show that Ms. Mighells regularly trained SaveOnSP personnel, as confirmed by dozens of recordings of team "Huddles" led by Ms. Mighells that SaveOnSP recently has produced. Ms. Mighells' instruction covered a wide variety of subjects, such as

Moreover,

as one of SaveOnSP's most senior quality assurance auditors, Ms. Mighells

Documents and communications on these subjects plainly are relevant to this case, as they shed light on (among other things) SaveOnSP's deception of both members and manufacturers and SaveOnSP's efforts to evade detection by manufacturers like JJHCS, and responsive to multiple JJHCS discovery requests. *See, e.g.*, Request Nos. 5, 6, 7, 8, 23, 28, 30, 34, 53, 54, 73, 77, 78, 79, 131, 132.

Finally, as we have previously discussed in the context of JJHCS's Twelfth Set of Request for Production, *see* June 25, 2024 Ltr. from B. Robinson to M. Nelson at 3; July 11, 2024 Ltr. from B. Robinson to M. Nelson at 2-3, Ms. Mighells is the obvious and most appropriate custodian for JJHCS's RFP No. 121, which seeks documents and communications regarding efforts by SaveOnSP to take adverse action against her. Ms. Mighells should be added as a custodian for this reason, as well.

Please confirm whether you will add Ms. Mighells as a custodian by Tuesday, August 27, 2024. To the extent you will not agree to add her as a custodian, please provide your availability any day next week to meet and confer.

Very truly yours,

/s/ Bonita Robinson Bonita L. Robinson

# Exhibit 57

Case 2:22-cv-02632-CCC-CLW

Selendy Gay PLLC 1290 Avenue of the Americas New York NY 10104 212.390.9000 Document 491 PageID: 53542 Filed 01/07/25 Page 149 of 200

Selendy|Gay

Matthew Nussbaum Associate 212.390.9062 mnussbaum@selendygay.com

September 18, 2024

### Via E-mail

Bonita L. Robinson Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 brobinson@pbwt.com

Re: Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC (Case No. 2:22-cv-02632-JKS-CLW)

Dear Bonita,

We write in response to your August 22, 2024 letter requesting SaveOn add Paula Mighells as a full custodian. For the reasons explained below, we decline to do so.

*First*, you claim that Mighells's roles as a member services representative ("MSR") and "quality assurance auditor" justify adding her as an additional custodian because, in those roles, she interacted with plan members, including by resolving their issues and complaints, and trained other SaveOn employees. SaveOn has already produced extensive discovery on both its interactions with plan members and its training materials. At least ten other custodians held positions in which they interacted with plan members and trained other SaveOn employees on communications with plan members, including:

• **Brianna Reed**. Reed joined SaveOn as a Patient Services Representative ("PSR"), a role in which she worked directly with patients. *See* SOSP\_0302534. Reed then became a Patient Support Center Supervisor, where she continued to resolve patient-facing issues, *see*, *e.g.*, SOSP\_0686494, a Member Services Supervisor, where she worked alongside Nicole Haas on training materials, *see*, *e.g.*, SOSP\_0704569, and a Member Services Senior Supervisor, where she continued to manage patient-facing employees, *see*, *e.g.*, SOSP\_0735601. Reed also worked in Quality Assurance—and even evaluated Paula Mighells's patient-facing calls (before Mighells transitioned to work in Quality

Document 491 PageID: 53543

Assurance herself). See, e.g., SOSP\_0335100. J&J requested Reed as a custodian because of her roles as Member Services Senior Supervisor, Quality Assurance Auditor, and Member Services Team Lead. See Feb. 17, 2023 Ltr. at 1.

- Sarah Segerson. Segerson joined SaveOn as a PSR, where she worked alongside Paula Mighells. See SOSP\_0386810 (PSR messages including both Mighells and Segerson on the thread). Segerson then moved to Quality Assurance, see, e.g., SOSP\_0389583, then worked as a Quality Assurance Supervisor—making her Paula Mighells's direct supervisor within that department. See, e.g., SOSP\_0706363. The pair worked together to address patient issues. See, e.g., SOSP\_1214196. J&J requested Segerson as a custodian because of her role as a Quality Assurance Auditing Supervisor. See Feb. 17, 2023 Ltr. at 1.
- Nicole Haas. Haas joined SaveOn in 2020 as a PSR. See SOSP\_0266806. By 2021, Haas was a PSR Supervisor, see SOSP\_0413349, then a Member Services Senior Supervisor, see SOSP\_0735374. In 2022 Haas became an Enrollment Manager. See SOSP\_0608889. As a supervisor and Enrollment Manager, Haas supervised employees who worked directly with patients. See, e.g., SOSP\_2276962. J&J requested Haas as a custodian in February 2023 because of her position as an Enrollment Manager. See Feb. 17, 2023 Ltr. from H. Sandick to M. Nelson at 1.
- **Laura McClung**. In 2021, McClung was the Member Services Director for SaveOn's Denver office. *See* SOSP\_0720832. In that role, McClung managed MSRs and their supervisors, who worked directly with patients. *See*, *e.g.*, SOSP\_1138282. J&J requested McClung as a custodian in February 2023 because of her position as a Member Services Director. *See* Feb. 17, 2023 Ltr. at 1.
- **Ted Mighells.** Mighells joined SaveOn as a PSR, where he interfaced directly with patients. *See*, *e.g.*, SOSP\_0940961. Mighells then became a Patient Support Coach/Trainer, *see*, *e.g.*, SOSP\_0842731; SOSP\_0680080, and finally a Member Services Training Supervisor, where he created training materials, *see*, *e.g.*, SOSP\_0943830; SOSP\_0569262, and led larger-scale trainings for SaveOn's patient-facing employees, *see*, *e.g.*, SOSP\_0601906. J&J requested Mighells as a custodian because of his roles as a Member Services Supervisor and Member Services Training Supervisor. *See* Feb. 17, 2023 Ltr. at 1.1

<sup>&</sup>lt;sup>1</sup> In addition to these five custodians, current custodians Ayesha Zulqarnain, Andrea Waker, Danielle Wagner, Jennifer Menz, and Dave Chelus also held positions in which they communicated with plan participants and/or trained other SaveOn employees regarding those communications.

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SaveOn has also produced voluminous non-custodial discovery on these issues. SaveOn has produced hundreds of thousands of Salesforce records detailing its interactions with patients on Janssen drugs, *see*, *e.g.*, SOSP\_0446832, SOSP\_0446833, SOSP\_1230402, SOSP\_1320403, SOSP\_0132404, and has agreed in principle to produce call recordings requested by J&J corresponding to those records, *see* Aug. 2, 2024 Letter from M. Nelson to J. Chefitz. SaveOn has also produced non-custodial materials related to its training efforts, including responsive Huddle recordings and hundreds of MSR grading checklists, *see*, *e.g.* SOSP\_0296650, SOSP\_0297354, SOSP\_0297327.

Given the extensive discovery that SaveOn has already provided regarding its plan member communications and SaveOn employee trainings, adding Mighells as an additional custodian would be duplicative and unduly burdensome. If J&J has reason to believe that Mighells possesses responsive, non-duplicative documents related to these topics, please provide us with the basis for that belief.

Second, you state that Mighells is "the obvious and most appropriate custodian for" J&J's RFP No. 121. As you know, this request has been the subject of extensive, separate correspondence. See, e.g., June 21, 2024 Ltr. from M. Nelson to B. Robinson; July 19, 2024 Ltr. from M. Nelson to B. Robinson; August 5, 2024 Ltr. from M. Nelson to B. Robinson. SaveOn has made a proposal to produce documents responsive to J&J's RFP No. 121 that is more than sufficient to provide the information J&J told the Court it was seeking. See August 30, 2024 Letter from M. Nelson to B. Robinson. As we have previously stated, given the at most marginal relevance of the documents sought by this Request, SaveOn does not believe that the burden of collecting and processing documents from new, additional custodians is appropriate.

We are available to meet and confer.

Sincerely,

/s/ Matthew Nussbaum

Matthew Nussbaum Associate PageID: 53545

# Exhibit 58

Filed 01/07/25

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### Long, Julia (x2878)

From: Amanda Miner <aminer@selendygay.com>

Sent: Wednesday, July 3, 2024 12:02 PM

**To:** Long, Julia (x2878); Mangi, Adeel A. (x2563); Sandick, Harry (x2723); LoBiondo, George

Document 491

PageID: 53546

(x2008); Arrow, Sara (x2031); ~jgreenbaum@sillscummis.com; ~klieb@sillscummis.com;

\_cq J&J-SaveOn

**Cc:** Andrew Dunlap; Philippe Selendy; Elizabeth Snow; Matthew Nussbaum; Hannah Miles;

Wohlforth, E. Evans; Galli, Sabrina M.; kkatchen@rc.com; Meredith Nelson

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

We write to follow up on Monday's meet-and-confer regarding the search terms for Johnson & Leger.

While SaveOn continues to take issue with your proposals for the remaining terms at issue for the reasons discussed on the call, in the interest of coming to a global agreement, SaveOn will run your search term proposals for Terms 1, 4, 5, 14 & 17.

Best, Amanda

#### **Amanda Miner**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: she, her, hers

+1 212.390.9313 [O] +1 617.378.8462 [M]

From: Amanda Miner

Sent: Monday, July 1, 2024 1:28 PM

**To:** Long, Julia (x2878) <jlong@pbwt.com>; Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com <jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>

**Cc:** Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Wohlforth, E. Evans <EWohlforth@rc.com>; Galli, Sabrina M. <SGalli@rc.com>; kkatchen@rc.com; Meredith Nelson <mnelson@selendygay.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Julia,

Please find below deduplicated hit counts for J&J's proposed Terms 5, 14 & 17.

## Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 154 of 200 PageID: 53547

- **Term 5:** (counter\* OR strateg\* OR "course correct" OR "bypass" OR respon\* OR solution OR solv\*) w/15 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
  - Documents with Hits: 410

Documents with Hits + Families: 1,950
 Additional Documents To Review: 1,842

Term 14: (call\* OR contract\* OR speak OR spoke OR talk\* OR phone\* OR chat\* OR (obtain\* w/2 info\*)) w/10 (J&J OR JNJ OR Janssen OR Jannssen OR Jannssen OR JJHCS OR JHCS OR JHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR CarePath OR "JCP") AND ("lie" OR lied OR liar\* OR lying OR "fib" OR misrepresent\* OR fake\* OR fals\* OR "made-up" OR mock OR dummy)

Documents with Hits: 243

Documents with Hits + Families: 4,562
 Additional Documents To Review: 4,545

• Term 17: (manufacturer OR mfgr\*) w/15 (maximizer\* OR accumulator\* OR SaveOn OR SaveOnSP OR SOSP OR "Save On") w/30 (reduce\* OR modif\* OR chang\*)

o Documents with Hits: 389

Documents with Hits + Families: 668
 Additional Documents To Review: 595

We look forward to discussing this afternoon.

Best, Amanda

#### **Amanda Miner**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: she, her, hers

+1 212.390.9313 [O] +1 617.378.8462 [M]

From: Meredith Nelson < mnelson@selendygay.com >

**Sent:** Friday, June 28, 2024 4:56 PM

**To:** Long, Julia (x2878) < <u>ilong@pbwt.com</u>>; Amanda Miner < <u>aminer@selendygay.com</u>>; Mangi, Adeel A. (x2563)

- <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008)
- <globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com
- <jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn
- <JJSaveOn@pbwt.com>

- <esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Hannah Miles
- <<u>hmiles@selendygay.com</u>>; Wohlforth, E. Evans <<u>EWohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>;

kkatchen@rc.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Thanks, Julia. We will send you the hit reports as soon as we receive them, but that may not be until Monday.

#### **Meredith Nelson**

Associate [Email] Selendy Gay PLLC [Web] Pronouns: she, her, hers

+1 212.390.9069 [O]

+1 918.200.3148 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>>

Sent: Friday, June 28, 2024 4:45 PM

**To:** Meredith Nelson <<u>mnelson@selendygay.com</u>>; Amanda Miner <<u>aminer@selendygay.com</u>>; Mangi, Adeel A. (x2563)

<aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008)

<globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn

<<u>JJSaveOn@pbwt.com</u>>

<esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Hannah Miles

<<u>hmiles@selendygay.com</u>>; Wohlforth, E. Evans <<u>EWohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>;

kkatchen@rc.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Meredith,

Thank you. I circulated a calendar invitation for our conferral on Monday. We look forward to receiving the requested hit reports today to aid in our discussion.

Best, Julia

**Julia Long** 

She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Meredith Nelson <mnelson@selendygay.com>

Sent: Friday, June 28, 2024 4:37 PM

To: Long, Julia (x2878) < <a href="mailto:long@pbwt.com">jlong@pbwt.com</a>; Amanda Miner < <a href="mailto:aminer@selendygay.com">aminer@selendygay.com</a>; Mangi, Adeel A. (x2563)

<aamangi@pbwt.com>; Sandick, Harry (x2723) < <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>>; LoBiondo, George (x2008)

<globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn

<JJSaveOn@pbwt.com>

Cc: Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy selendy@selendygay.com; Elizabeth Snow

<esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Hannah Miles

<<u>hmiles@selendygay.com</u>>; Wohlforth, E. Evans <<u>EWohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>;

kkatchen@rc.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Filed 01/07/25

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Julia,

We are available at 3pm on Monday.

Thanks, Meredith

#### **Meredith Nelson**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: she, her, hers

+1 212.390.9069 [O] +1 918.200.3148 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>>

Sent: Friday, June 28, 2024 4:34 PM

To: Meredith Nelson < mnelson@selendygay.com >; Amanda Miner < miner@selendygay.com >; Mangi, Adeel A. (x2563)

Document 491

PageID: 53549

- <aamangi@pbwt.com>; Sandick, Harry (x2723) < hsandick@pbwt.com>; LoBiondo, George (x2008)
- <globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com
- <jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn
- <JJSaveOn@pbwt.com>

- <esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Hannah Miles
- <hmiles@selendygay.com>; Wohlforth, E. Evans < <a href="EWohlforth@rc.com">EWohlforth@rc.com</a>; Galli, Sabrina M. < <a href="SGalli@rc.com">SGalli@rc.com</a>; kkatchen@rc.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Meredith,

I'm following up to ask this for a third time. Is your team willing to meet and confer this Monday, July 1 between 2:00 p.m. and 4:30 p.m.? I note that we also asked for a conferral on June 24 but did not hear back until after our proposed time passed.

Best, Julia

## Julia Long

She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### ilong@pbwt.com

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Thursday, June 27, 2024 2:52 PM

To: Meredith Nelson < mnelson@selendygay.com >; Amanda Miner < aminer@selendygay.com >; Mangi, Adeel A. (x2563)

## Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 157 of 200 PageID: 53550

<a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; LoBiondo, George (x2008)

<globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com

<<u>jgreenbaum@sillscummis.com</u>>; <u>~klieb@sillscummis.com</u>>; <u>\_cg</u> J&J-SaveOn

<JJSaveOn@pbwt.com>

**Cc:** Andrew Dunlap < <u>adunlap@selendygay.com</u>>; Philippe Selendy < <u>pselendy@selendygay.com</u>>; Elizabeth Snow

<esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Hannah Miles

< hmiles@selendygay.com >; Wohlforth, E. Evans < EWohlforth@rc.com >; Galli, Sabrina M. < Galli@rc.com >;

kkatchen@rc.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Meredith,

Following up on the below, please advise whether your team is available to confer as to the Johnson and Leger search terms on Monday, July 1 between 2:00 p.m. and 4:30 p.m.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### ilong@pbwt.com

From: Long, Julia (x2878) < ilong@pbwt.com >

Sent: Tuesday, June 25, 2024 11:59 AM

To: Meredith Nelson <<u>mnelson@selendygay.com</u>>; Amanda Miner <<u>aminer@selendygay.com</u>>; Mangi, Adeel A. (x2563)

<aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008)

<globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn

<JJSaveOn@pbwt.com>

<esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Hannah Miles

<<u>hmiles@selendygay.com</u>>; Wohlforth, E. Evans <<u>EWohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>;

kkatchen@rc.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Meredith,

Thank you for your email. On the remaining Falsioni search term, in light of your June 21, 2024 representation that SaveOnSP's proposed search term captures 1,677 additional documents, JJHCS agrees to the term below. By June 28, please confirm when JJHCS can expect to receive SaveOnSP's forthcoming production.

(PHI OR BAA OR "business associate agreement" OR joinder OR "service agreement" OR contract OR
amendment) w/20 (question\* OR concern\* OR hesitat\* OR explain\* OR guidance OR discuss\* OR deal\* OR
partner\* OR negotiat\* OR sell OR sale\* OR sold OR pitch\* OR complain\* OR satisf\* OR challeng\*OR problem\*
OR confus\* OR troubl\* OR comfor\*)

As to the Johnson and Leger search terms, JJHCS does not agree to narrow its May 31 proposals as to Terms 1 and 4. On Terms 5, 14, and 17, by Friday, June 28, 2024, please provide deduplicated hit counts (with and without family) as to the following terms.

- Term 5: (counter\* OR strateg\* OR "course correct" OR "bypass" OR respon\* OR solution OR solv\*) w/15 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- Term 14: (call\* OR contract\* OR speak OR spoke OR talk\* OR phone\* OR chat\* OR (obtain\* w/2 info\*)) w/10 (J&J OR JNJ OR Janssen OR Jannssen OR Jannssen OR JJHCS OR JHCS OR JHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR CarePath OR "JCP") AND ("lie" OR lied OR liar\* OR lying OR "fib" OR misrepresent\* OR fake\* OR fals\* OR "made-up" OR mock OR dummy)
- **Term 17:** (manufacturer OR mfgr\*) w/15 (maximizer\* OR accumulator\* OR SaveOn OR SaveOnSP OR SOSP OR "Save On") w/30 (reduce\* OR modif\* OR chang\*)

JJHCS is available to confer as to the Johnson and Leger search terms on Monday, July 1 after 2:00 p.m. Please provide your availability during that window.

Best, Julia

Julia Long
She | Her | Hers
Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### ilong@pbwt.com

From: Meredith Nelson <mnelson@selendygay.com>

**Sent:** Monday, June 24, 2024 8:03 PM

**To:** Long, Julia (x2878) < <u>ilong@pbwt.com</u>>; Amanda Miner < <u>aminer@selendygay.com</u>>; Mangi, Adeel A. (x2563)

- <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008)
- <globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com
- <igreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; cg J&J-SaveOn
- <JJSaveOn@pbwt.com>

- <esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Hannah Miles
- < hmiles@selendygay.com >; Wohlforth, E. Evans < EWohlforth@rc.com >; Galli, Sabrina M. < SGalli@rc.com >;

kkatchen@rc.com

Subject: Re: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

## Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 159 of 200 PageID: 53552

SaveOn provided you with our proposals on the outstanding Falsioni search term and on the Johnson and Leger search terms on Friday and Sunday, respectively. If you believe it would be helpful to discuss those proposals, we are available to meet and confer.

Regards, Meredith

From: Long, Julia (x2878) < ilong@pbwt.com>

**Sent:** Thursday, June 20, 2024 09:39

**To:** Amanda Miner <aminer@selendygay.com>; Mangi, Adeel A. (x2563) <amangi@pbwt.com>; Sandick, Harry (x2723) <a href="https://www.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:globiondo@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">sarrow@pbwt.com</a>; <a href="mailto:gjreenbaum@sillscummis.com">gjreenbaum@sillscummis.com</a>; <a href="mailto:wkieb@sillscummis.com">klieb@sillscummis.com</a> <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a> <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a> <a href="mailto:klieb@sil

cg J&J-SaveOn <JJSaveOn@pbwt.com>

**Cc:** Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Meredith Nelson

<mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Matthew Nussbaum

<<u>mnussbaum@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Wohlforth, E. Evans

<<u>EWohlforth@rc.com</u>>; Galli, Sabrina M. <<u>SGalli@rc.com</u>>; <u>kkatchen@rc.com</u> <<u>kkatchen@rc.com</u>>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Counsel,

SaveOnSP has had JJHCS's proposal as to the Johnson and Leger search terms since May 31. Last week, you stated that we should expect SaveOnSP's counterproposal on the five remaining Johnson and Leger search terms "as early as possible [this] week." It is now Thursday, and we still have not received your counterproposal. Please provide it without further delay. Consistent with our prior correspondence, with any proposal, please provide deduplicated hit counts (with and without families).

SaveOnSP also promised a counterproposal on the outstanding Falsioni search term "soon." When can we expect to receive that proposal?

JJHCS is available to confer on both topics on June 24 between 10:00 a.m. and 1:30 p.m. or after 3:30 p.m. Please let us know if there's a time during either window that works for your team.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Amanda Miner <aminer@selendygay.com>

Sent: Friday, June 14, 2024 6:12 PM

**To:** Long, Julia (x2878) <<u>jlong@pbwt.com</u>>; Mangi, Adeel A. (x2563) <<u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) <<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; Arrow, Sara (x2031) <<u>sarrow@pbwt.com</u>>; <<u>rigreenbaum@sillscummis.com</u> <<u>jgreenbaum@sillscummis.com</u>>; <<u>klieb@sillscummis.com</u> <<u>klieb@sillscummis.com</u>>;

\_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>

<<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Matthew Nussbaum

<mnussbaum@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Wohlforth, E. Evans

<EWohlforth@rc.com>; Galli, Sabrina M. <SGalli@rc.com>; kkatchen@rc.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

SaveOn agrees to run J&J's proposed Terms 3, 6, 9, and 12 for Leger and Johnson for the agreed upon time period, in addition to the six terms that SaveOn already agreed to run in its reply to the motion to compel.

We are preparing counterproposals for Terms 1, 4, 5, 14, and 17 and intend to send those to you as early as possible next week.

Best, Amanda

#### **Amanda Miner**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: she, her, hers

+1 212.390.9313 [O] +1 617.378.8462 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Thursday, June 13, 2024 11:27 AM

**To:** Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; <u>ewohlforth@rc.com</u>; <u>sgalli@rc.com</u>; kkatchen@rc.com

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:sarrow@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sglobiondo@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:gigreenbaum@sillscummis.com">gigreenbaum@sillscummis.com</a>; <a href="mailto:skileb@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:com">cklieb@sillscummis.com</a>; <a href="mailto:com">cklieb@sillscummis

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thank you again for your emails from June 4 and June 6 with the requested hit counts for JJHCS's narrowed search terms as to Jessica Johnson and Kelsey Leger and your email of June 7 confirming that SaveOnSP will "collect" Ms. Johnson's and Ms. Leger's non-SaveOnSP email addresses used for SaveOn-related communications and "search them using the same terms used to search Leger's and Johnson's SaveOn accounts."

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During our June 10 conferral, you stated that the parties had reached agreement on the following terms (numbered using the same sequence as your June 4 hit report):

- Term 2: ((two OR 2) w/2 card) AND (solution OR Stelara OR Tremfya)
- Term 7: (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) w/15 manufacturer\*
- Term 8: (detect\* OR evade\* OR hide OR conceal\*) AND (co-insurance OR coinsurance OR variable)
- Term 10: (FirstView OR "First View") AND (credit w/2 card)
- Term 11: (FirstView OR "First View") w/10 card
- Term 13: manufacturer\* w/10 (maximizer\* OR accumulator\*)

You also acknowledged that SaveOnSP was not planning to request further narrowing to the following terms, but needed to revert on whether the parties had reached agreement. Please do so by tomorrow, June 14.

- Term 3: (avoid\* OR conceal\*) w/50 (co-insurance OR variable OR copay OR "co-pay")
- Term 6: (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) w/25 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- Term 9: (dummy OR fake OR false\* OR mock OR lie\* OR lying OR truth) w/25 enroll\*
- Term 12: (lie\* OR liar\* OR lying OR fib\* OR misrepresent\* OR fake\* OR fals\* OR "made-up" OR mock OR dummy) w/20 (J&J OR JnJ OR Janssen OR Jannssen OR JJHCS OR JHCS OR JHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR "CarePath" OR "JCP")

Finally, during our conferral, you indicated that SaveOnSP was unwilling to run the following search terms as narrowed by JJHCS's most recent proposal, but wanted to take our discussion back to your team before confirming SaveOnSP's position and/or making a counterproposal. Please provide SaveOnSP's position as to these terms by tomorrow, June 14.

- Term 1: (("don't" OR "not" OR allowed OR never OR permit OR "can't" OR cannot) w/5 (mention OR disclose OR say OR inform\* OR divulge)) w/10 (SaveOn OR SaveOnSP OR SOSP OR "Save On" OR manufacturer\* OR mfgr\*)
- Term 4: (Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi) w/15 (reduce\* OR modif\* OR change\*))
- Term 5: (counter\* OR strateg\* OR "course correct" OR "bypass" OR respon\* OR solution OR solv\*) w/20 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- Term 14: (call\* OR contract\* OR speak OR spoke OR talk\* OR phone\* OR chat\* OR (obtain\* w/2 info\*)) w/10 (J&J OR JNJ OR Janssen OR Jannssen OR JJHCS OR JHCS OR JHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR CarePath OR "JCP") AND (lie\* OR liar\* OR lying OR fib\* OR misrepresent\* OR fake\* OR fals\* OR "made-up" OR mock OR dummy)
- Term 17: (manufacturer OR mfgr\*) w/15 (maximizer\* OR accumulator\* OR SaveOn OR SaveOnSP OR SOSP OR "Save On") AND (reduce\* OR modif\* OR chang\*)

As discussed during our conferral and consistent with JJHCS's reply brief, we intend to provide Judge Wolfson with a status update on Monday, June 17.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

jlong@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Friday, June 7, 2024 5:12 PM

To: Long, Julia (x2878) < <a href="mailto:long@pbwt.com">jlong@pbwt.com</a>>; Philippe Selendy <a href="mailto:selendy@selendygay.com">selendy@selendygay.com</a>>; Andrew Dunlap

<adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow

<esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; ewohlforth@rc.com; sgalli@rc.com;

kkatchen@rc.com

**Cc:** Mangi, Adeel A. (x2563) < <u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) < <u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) < <u>globiondo@pbwt.com</u>>; Arrow, Sara (x2031) < <u>sarrow@pbwt.com</u>>; ~igreenbaum@sillscummis.com

<igreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; cg J&J-SaveOn

<JJSaveOn@pbwt.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

SaveOn has determined that Kelsey Leger and Jessica Johnson each had a single non-SaveOn email address which may have been used for SaveOn-related communications. SaveOn will collect those accounts and search them using the same terms used to search Leger's and Johnson's SaveOn accounts.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Matthew Nussbaum < mnussbaum@selendygay.com >

**Sent:** Thursday, June 6, 2024 7:27 PM

To: Long, Julia (x2878) < <a href="mailto:long@pbwt.com">
<a h

<adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow

<<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; <u>ewohlforth@rc.com</u>; <u>sgalli@rc.com</u>; kkatchen@rc.com

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">; LoBiondo, George (x2008) <a href="mailto:sglobiondo@pbwt.com">; LoBiondo, George (x2008) <a href="mailto:sglobiondo@pbwt.com">; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">; ~igreenbaum@sillscummis.com">; ~igreenbaum@sillscummis.com</a> <a href="mailto:sglobiondo@pbwt.com">; ~klieb@sillscummis.com</a> <a href="mailto:sklobiondo@pbwt.com">; ~klieb@sillscummis.com</a> <a href="mailto:sklobion

<JJSaveOn@pbwt.com>

Subject: Re: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Julia,

You requested that SaveOn "conduct a reasonable investigation into whether [Leger and Johnson] have used personal email addresses to conduct SaveOnSP business and if so, to confirm that they will run the same terms over those email addresses by June 6, 2024."

SaveOn is still investigating and intends to provide the results of its investigation promptly.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [0]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Thursday, June 6, 2024 11:18:43 AM

**To:** Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; <u>ewohlforth@rc.com</u> <<u>ewohlforth@rc.com</u>>; sgalli@rc.com <sgalli@rc.com>; kkatchen@rc.com <kkatchen@rc.com>

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:sarrow@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sarrow@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:agraenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:sarrow@pbwt.com">aklieb@sillscummis.com</a>; <a href="mailto:agraenbaum@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agraenbaum.agr

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thank you for the deduplicated hit count below. I will circulate a calendar invitation for Monday at 3:00 p.m. momentarily.

Best, Julia

Julia Long
She | Her | Hers
Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Matthew Nussbaum < mnussbaum@selendygay.com >

Sent: Thursday, June 6, 2024 11:15 AM

**To:** Long, Julia (x2878) < <u>ilong@pbwt.com</u>>; Philippe Selendy < <u>pselendy@selendygay.com</u>>; Andrew Dunlap < <u>adunlap@selendygay.com</u>>; Meredith Nelson < <u>mnelson@selendygay.com</u>>; Elizabeth Snow

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 164 of 200 PageID: 53557

<esnow@selendygay.com>; Hannah Miles <<a href="mailes@selendygay.com">hmiles@selendygay.com">hmiles@selendygay.com</a>; ewohlforth@rc.com; sgalli@rc.com; kkatchen@rc.com

Cc: Mangi, Adeel A. (x2563) <a href="mailto:sammangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:sammangimpbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sammangimpbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

Deduplicated totals for J&J's narrowed request are in the chart below.

Total Hits	Total with Families	Total Additional Documents for
	raililles	SaveOn to Review
2,806	14,615	14,031

We are available to meet and confer on Monday, June 10 at 3 p.m.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O] +1 856.534.8606 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>>

Sent: Wednesday, June 5, 2024 9:27 AM

To: Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; <u>ewohlforth@rc.com</u>; <u>sgalli@rc.com</u>; kkatchen@rc.com

Cc: Mangi, Adeel A. (x2563) <a href="mailto:sammangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:sammangimpbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sammangimpbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt:

Thanks for providing these hit reports. SaveOnSP's Appendix to its opposition brief included a total number of documents at issue. Please provide a deduplicated total as to JJHCS's narrowed request (with and without families) this week.

As to a meet and confer, JJHCS is available on Monday, June 10 between 3:00 p.m. and 5:00 p.m. Please advise whether a time during that window works for SaveOnSP.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Matthew Nussbaum < mnussbaum@selendygay.com >

**Sent:** Tuesday, June 4, 2024 9:20 PM

To: Long, Julia (x2878) < <a href="mailto:long@pbwt.com">jlong@pbwt.com</a>; Philippe Selendy <a href="mailto:selendy@selendygay.com">selendy@selendygay.com</a>; Andrew Dunlap

<adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow

<esnow@selendygay.com>; Hannah Miles <<a href="miles@selendygay.com">hmiles@selendygay.com">hmiles@selendygay.com</a>; ewohlforth@rc.com; sgalli@rc.com; kkatchen@rc.com

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:sarrow@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sarrow@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:agraenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:aklieb@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agraenbaum@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agraenbaum.agraenbaum

Subject: Re: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Good evening, Julia,

Attached, please find the hit counts J&J requested in its reply in support of its motion to compel SaveOn to add Johnson and Leger as custodians.

We anticipate providing the additional information you requested regarding personal emails by Thursday, and we will be available to meet and confer by June 10.

Thank you,

Matt

**Matthew Nussbaum** 

Associate [Email] Selendy Gay PLLC [Web] Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 166 of 200 PageID: 53559

Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Friday, May 31, 2024 5:34:57 PM

**To:** Philippe Selendy <<u>normalised selendy@selendygay.com</u>
; Andrew Dunlap <<u>normalised selendygay.com</u>
; Meredith Nelson <<u>normalised selendygay.com</u>
; Hannah Miles <<u>normalised selendygay.com</u>
; Hannah Miles <<u>normalised selendygay.com</u>
; Matthew Nussbaum <<u>normalised selendygay.com</u>
; <u>ewohlforth@rc.com</u>
; <u>sgalli@rc.com</u>
; sgalli@rc.com
<t

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sarrow@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:agreenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:aklieb@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agreenbaum@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agreenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:aklieb@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agreenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agre

Subject: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

#### Counsel:

Consistent with JJHCS's reply brief in further support of its motion to compel the addition of Jessica Johnson and Kelsey Leger as custodians, enclosed please find JJHCS's counterproposal on search terms for these custodians. Please provide hit counts for the original search terms, SaveOnSP's counterproposal, and JJHCS's current proposal (with and without families) by June 4.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

ilong@pbwt.com

## Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 167 of 200 PageID: 53560

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

Document 491 Filed PageID: 53561

Filed 01/07/25

Page 168 of 200

PageID: 53562

# Exhibit 59

### Long, Julia (x2878)

From: Long, Julia (x2878)

**Sent:** Thursday, June 13, 2024 11:27 AM

**To:** Matthew Nussbaum; Philippe Selendy; Andrew Dunlap; Meredith Nelson; Elizabeth

Snow; Hannah Miles; ewohlforth@rc.com; sgalli@rc.com; kkatchen@rc.com

Cc: Mangi, Adeel A. (x2563); Sandick, Harry (x2723); LoBiondo, George (x2008); Arrow, Sara

Document 491

PageID: 53563

(x2031); ~jgreenbaum@sillscummis.com; ~klieb@sillscummis.com; \_cg J&J-SaveOn

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thank you again for your emails from June 4 and June 6 with the requested hit counts for JJHCS's narrowed search terms as to Jessica Johnson and Kelsey Leger and your email of June 7 confirming that SaveOnSP will "collect" Ms. Johnson's and Ms. Leger's non-SaveOnSP email addresses used for SaveOn-related communications and "search them using the same terms used to search Leger's and Johnson's SaveOn accounts."

During our June 10 conferral, you stated that the parties had reached agreement on the following terms (numbered using the same sequence as your June 4 hit report):

- Term 2: ((two OR 2) w/2 card) AND (solution OR Stelara OR Tremfya)
- Term 7: (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) w/15 manufacturer\*
- Term 8: (detect\* OR evade\* OR hide OR conceal\*) AND (co-insurance OR coinsurance OR variable)
- Term 10: (FirstView OR "First View") AND (credit w/2 card)
- Term 11: (FirstView OR "First View") w/10 card
- Term 13: manufacturer\* w/10 (maximizer\* OR accumulator\*)

You also acknowledged that SaveOnSP was not planning to request further narrowing to the following terms, but needed to revert on whether the parties had reached agreement. Please do so by tomorrow, June 14.

- Term 3: (avoid\* OR conceal\*) w/50 (co-insurance OR variable OR copay OR "co-pay")
- Term 6: (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) w/25 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- Term 9: (dummy OR fake OR false\* OR mock OR lie\* OR lying OR truth) w/25 enroll\*
- Term 12: (lie\* OR liar\* OR lying OR fib\* OR misrepresent\* OR fake\* OR fals\* OR "made-up" OR mock OR dummy) w/20 (J&J OR JnJ OR Janssen OR Jannssen OR JJHCS OR JHCS OR JHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR "CarePath" OR "JCP")

Finally, during our conferral, you indicated that SaveOnSP was unwilling to run the following search terms as narrowed by JJHCS's most recent proposal, but wanted to take our discussion back to your team before confirming SaveOnSP's position and/or making a counterproposal. Please provide SaveOnSP's position as to these terms by tomorrow, June 14.

- Term 1: (("don't" OR "not" OR allowed OR never OR permit OR "can't" OR cannot) w/5 (mention OR disclose OR say OR inform\* OR divulge)) w/10 (SaveOn OR SaveOnSP OR SOSP OR "Save On" OR manufacturer\* OR mfgr\*)
- Term 4: (Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi) w/15 (reduce\* OR modif\* OR change\*))
- Term 5: (counter\* OR strateg\* OR "course correct" OR "bypass" OR respon\* OR solution OR solv\*) w/20 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- Term 14: (call\* OR contract\* OR speak OR spoke OR talk\* OR phone\* OR chat\* OR (obtain\* w/2 info\*))
   w/10 (J&J OR JNJ OR Janssen OR Jannsen OR Jannssen OR JJHCS OR JHCS OR JHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR CarePath OR "JCP") AND (lie\* OR liar\* OR lying OR fib\* OR misrepresent\* OR fake\* OR fals\* OR "made-up" OR mock OR dummy)

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 Term 17: (manufacturer OR mfgr\*) w/15 (maximizer\* OR accumulator\* OR SaveOn OR SaveOnSP OR SOSP OR "Save On") AND (reduce\* OR modif\* OR chang\*)

As discussed during our conferral and consistent with JJHCS's reply brief, we intend to provide Judge Wolfson with a status update on Monday, June 17.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Friday, June 7, 2024 5:12 PM

**To:** Long, Julia (x2878) <jlong@pbwt.com>; Philippe Selendy <pselendy@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; ewohlforth@rc.com; sgalli@rc.com; kkatchen@rc.com

**Cc:** Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; ~jgreenbaum@sillscummis.com <jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

SaveOn has determined that Kelsey Leger and Jessica Johnson each had a single non-SaveOn email address which may have been used for SaveOn-related communications. SaveOn will collect those accounts and search them using the same terms used to search Leger's and Johnson's SaveOn accounts.

Thank you,

Matt

**Matthew Nussbaum** 

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Thursday, June 6, 2024 7:27 PM

To: Long, Julia (x2878) < <a href="mailto:long@pbwt.com">jlong@pbwt.com</a>>; Philippe Selendy <a href="mailto:selendy@selendygay.com">selendy@selendygay.com</a>>; Andrew Dunlap

<adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow

<<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; <u>ewohlforth@rc.com</u>; <u>sgalli@rc.com</u>; <u>kkatchen@rc.com</u>

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sarrow@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:agraenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:sarrow@pbwt.com">aklieb@sillscummis.com</a>; <a href="mailto:ggteenbaum@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:ggteenbaum@sillscummis.com">ggteenbaum@sillscummis.com</a>; <a href="mailto:ggteenbaum@sillscummis.com">gklieb@sillscummis.com</a>; <a href="mailto:ggteenbaum@sillscummis.com">ggteenbaum@sillscummis.com</a>; <a href="mailto:ggteenbaum.ggteenbaum.ggteenbaum.ggteenbaum.ggteenbaum.ggteenbaum.ggteenbaum.ggteenbaum.ggteenbaum.ggteenbaum.ggteenb

Subject: Re: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Julia,

You requested that SaveOn "conduct a reasonable investigation into whether [Leger and Johnson] have used personal email addresses to conduct SaveOnSP business and if so, to confirm that they will run the same terms over those email addresses by June 6, 2024."

SaveOn is still investigating and intends to provide the results of its investigation promptly.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [0]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Thursday, June 6, 2024 11:18:43 AM

**To:** Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow

<<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; <u>ewohlforth@rc.com</u> <<u>ewohlforth@rc.com</u>>; sgalli@rc.com <sgalli@rc.com>; kkatchen@rc.com <kkatchen@rc.com>

**Cc:** Mangi, Adeel A. (x2563) <<u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) <<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; Arrow, Sara (x2031) <<u>sarrow@pbwt.com</u>>; <u>"jgreenbaum@sillscummis.com</u> <<u>igreenbaum@sillscummis.com</u>>; <u>"klieb@sillscummis.com</u> <<u>klieb@sillscummis.com</u>>; \_cg J&J-SaveOn

<JJSaveOn@pbwt.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thank you for the deduplicated hit count below. I will circulate a calendar invitation for Monday at 3:00 p.m. momentarily.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### ilong@pbwt.com

From: Matthew Nussbaum < mnussbaum@selendygay.com >

Sent: Thursday, June 6, 2024 11:15 AM

To: Long, Julia (x2878) < <a href="mailto:long@pbwt.com">jlong@pbwt.com</a>>; Philippe Selendy <a href="mailto:selendy@selendygay.com">selendy@selendygay.com</a>>; Andrew Dunlap

<adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow

<esnow@selendygay.com>; Hannah Miles <<a href="miles@selendygay.com">hmiles@selendygay.com</a>>; ewohlforth@rc.com; sgalli@rc.com; kkatchen@rc.com

Cc: Mangi, Adeel A. (x2563) <a href="mailto:sammangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:sammangi@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sammangi@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:sarrow@pbwt.com">greenbaum@sillscummis.com</a>; <a href="mailto:sarrow@pbwt.com">aklieb@sillscummis.com</a>; <a href="mailto:sarrow@pbwt.com">aklieb@sillscummis.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

Deduplicated totals for J&J's narrowed request are in the chart below.

Total Hits	Total with Families	Total Additional Documents for
		SaveOn to Review
2,806	14,615	14,031

We are available to meet and confer on Monday, June 10 at 3 p.m.

Thank you,

Matt

Matthew Nussbaum Associate [Email]

Selendy Gay PLLC [Web]

Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Wednesday, June 5, 2024 9:27 AM

**To:** Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; <u>ewohlforth@rc.com</u>; <u>sgalli@rc.com</u>; <u>kkatchen@rc.com</u>

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sarrow@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:misscom">igreenbaum@sillscummis.com</a>; <a href="mailto:sarrow@pbwt.com">aklieb@sillscummis.com</a>; <a href="mailto:com">cg J&J-SaveOn</a></a> <a href="mailto:JJSaveOn@pbwt.com">JJSaveOn@pbwt.com</a>>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

#### Matt:

Thanks for providing these hit reports. SaveOnSP's Appendix to its opposition brief included a total number of documents at issue. Please provide a deduplicated total as to JJHCS's narrowed request (with and without families) this week.

As to a meet and confer, JJHCS is available on Monday, June 10 between 3:00 p.m. and 5:00 p.m. Please advise whether a time during that window works for SaveOnSP.

Best, Julia

Julia Long
She | Her | Hers
Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Matthew Nussbaum < mnussbaum@selendygay.com >

Sent: Tuesday, June 4, 2024 9:20 PM

**To:** Long, Julia (x2878) < <u>ilong@pbwt.com</u>>; Philippe Selendy < <u>pselendy@selendygay.com</u>>; Andrew Dunlap

<adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow

<<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; <u>ewohlforth@rc.com</u>; <u>sgalli@rc.com</u>; <u>kkatchen@rc.com</u>

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sarrow@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:agreenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:aklieb@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agreenbaum@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agreenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:aklieb@sillscummis.com">aklieb@sillscummis.com</a>; <a href="mailto:agreenbaum@sillscummis.com">agreenbaum@sillscummis.com</a>; <a href="mailto:agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agreenbaum.agre

\JJSaveOn@pbwt.com/

Subject: Re: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Good evening, Julia,

Attached, please find the hit counts J&J requested in its reply in support of its motion to compel SaveOn to add Johnson and Leger as custodians.

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We anticipate providing the additional information you requested regarding personal emails by Thursday, and we will be available to meet and confer by June 10.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Friday, May 31, 2024 5:34:57 PM

**To:** Philippe Selendy 
selendy@selendygay.com; Andrew Dunlap <adunlap@selendygay.com</pre>; Meredith Nelson
<a href="mailto:mnelson@selendygay.com">"mnelson@se

**Cc:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sarrow@pbwt.com">globiondo@pbwt.com</a>; Arrow, Sara (x2031) <a href="mailto:sarrow@pbwt.com">arrow@pbwt.com</a>; <a href="mailto:gigreenbaum@sillscummis.com">gigreenbaum@sillscummis.com</a>; <a href="mailto:sarrow@pbwt.com">aklieb@sillscummis.com</a>; <a href="mailto:sarrow@pbwt.com">aklieb@si

Subject: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

#### Counsel:

Consistent with JJHCS's reply brief in further support of its motion to compel the addition of Jessica Johnson and Kelsey Leger as custodians, enclosed please find JJHCS's counterproposal on search terms for these custodians. Please provide hit counts for the original search terms, SaveOnSP's counterproposal, and JJHCS's current proposal (with and without families) by June 4.

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036 Case 2:22-cv-02632-CCC-CLW

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T 212.336.2878

#### jlong@pbwt.com

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

# Exhibit 60

Document 491 PageID: 53571

E. Evans Wohlforth, Jr., Esq. **ROBINSON & COLE LLP** 666 Third Avenue, 20th Floor New York, NY 10017-4132 Main (212) 451-2900 Fax (212) 451-2999 ewohlforth@rc.com

Philippe Z. Selendy (admitted *pro hac vice*) Andrew R. Dunlap (admitted *pro hac vice*) Meredith Nelson (admitted *pro hac vice*) Elizabeth Snow (admitted *pro hac vice*)

**SELENDY GAY PLLC** 

1290 Avenue of the Americas New York, NY 10104 212-390-9000 pselendy@selendygay.com adunlap@selendygay.com mnelson@selendygay.com esnow@selendygay.com

Attornevs for Defendant Save On SP, LLC

# UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

JOHNSON & JOHNSON HEALTH CARE SYSTEMS INC.,

Plaintiff,

v.

SAVE ON SP, LLC,

Defendant.

Civ. A. No. 22-2632 (JKS) (CLW)

DEFENDANT'S SUPPLEMENTAL RESPONSES AND OBJECTIONS TO PLAINTIFF'S INTERROGATORIES

To: Jeffrey J. Greenbaum, Esq. SILLS CUMMIS & GROSS, P.C. One Riverfront Plaza
Newark, New Jersey 07102
973-643-7000

Adeel A. Mangi, Esq.
Harry Sandick, Esq.
George LoBiondo, Esq.
PATTERSON BELKNAP WEBB
& TYLER LLP
1133 Avenue of the Americas
New York, New York

Attorneys for Plaintiff Johnson & Johnson Health Care Systems Inc.

Pursuant to Federal Rules of Civil Procedure 26 and 33, and Local Civil Rule 33.1, Defendant Save On SP, LLC ("SaveOnSP"), by and through its undersigned counsel, hereby supplements its Responses and Objections to Plaintiff Johnson & Johnson Health Care Systems Inc.'s ("JJHCS") Interrogatory Nos. 4 and 16, contained in SaveOnSP's previously-served Responses and Objections. These responses should be deemed to supplement and amend SaveOnSP's disclosures under Rule 26(a) of the Federal Rules of Civil Procedure. If SaveOnSP learns that in some material respect its responses are incomplete or incorrect, SaveOnSP will supplement or correct them if the additional or corrective information has not otherwise been made known to JJHCS during the discovery process or in writing. Fed. R. Civ. P. 26(e)(1)(A). SaveOnSP's responses to these Interrogatories are based on information available to it at the time it made them. SaveOnSP reserves the right to modify or supplement its responses.

### **GENERAL OBJECTIONS**

- 1. JJHCS does not limit any of its Interrogatories to nonprivileged material. Save-OnSP objects to each Interrogatory to the extent that it seeks a disclosure of information which is subject to the attorney-client privilege, the work product doctrine, the common-interest privilege, or any other applicable privileges, immunities, or doctrines.
- 2. JJHCS does not limit any of its Interrogatories to information withing SaveOnSP's possession, custody, or control. SaveOnSP objects to each Interrogatory to the extent that it seeks

disclosure of information that is not within SaveOnSP's possession, custody, or control that Save-OnSP can locate after a reasonable inquiry.

### **OBJECTIONS TO DEFINITIONS**

- 3. SaveOnSP objects to the definition of "SaveOnSP" as including attorneys and accountants who may be outside of SaveOnSP's possession, custody, and control. SaveOnSP interprets the term "SaveOnSP" to mean SaveOnSP, LLC, and any and all predecessors and successors in interest, assignees, parents, subsidiaries, affiliates, divisions or departments, agents, representatives, directors, officers, employees, committees, and all persons or entities acting or purporting to act on behalf or under the control of SaveOnSP, LLC.
- 4. SaveOnSP objects to the definition of "SaveOnSP Program," as described in Complaint ¶¶ 9-17, because it mischaracterizes SaveOnSP's services. SaveOnSP will not use this definition.
- 5. SaveOnSP objects to the definition of "You" and "Your" to the same extent that it objects to the definition of "SaveOnSP."
- 6. SaveOnSP objects to the term "or other substance" in the definition of "Pharmaceutical Manufacturer" as vague and ambiguous. SaveOnSP will interpret the term "Pharmaceutical Manufacturer" to mean any entity that develops, produces, manufactures, creates, licenses, or distributes any pharmaceutical, drug, or medicine used in the treatment, cure, prevention or diagnosis of any illness, disease, disorder, or other condition.

#### **OBJECTIONS TO INSTRUCTIONS**

1. SaveOnSP objects to Instruction No. 23 in Plaintiff's First Set of Interrogatories to the extent that JJHCS attempts to impose requirements on SaveOnSP beyond those required by the Federal Rules of Civil Procedure, agreed to by the parties, or ordered by the Court.

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- 2. SaveOnSP objects to Instruction No. 24 in Plaintiff's First Set of Interrogatories to the extent it purports to require SaveOnSP to answer Plaintiff's Interrogatories based on knowledge obtained from all available sources. SaveOnSP will answer Plaintiff's Interrogatories
- based on information in its possession, custody, and control available to it following a reasonable

inquiry.

- 3. SaveOnSP objects to Instruction No. 25 in Plaintiff's First Set of Interrogatories to the extent that JJHCS attempts to impose requirements on SaveOnSP beyond those required by the Federal Rules of Civil Procedure, agreed to by the parties, or ordered by the Court.
- 4. SaveOnSP uses the term "Janssen Drugs" as defined in SaveOnSP's First Request for Production of Documents to JJHCS.
- 5. SaveOnSP objects to Instruction No. 16 in Plaintiff's Third Set of Interrogatories to the extent that JJHCS attempts to impose requirements on SaveOnSP beyond those required by the Federal Rules of Civil Procedure, agreed to by the parties, or ordered by the Court.
- 6. SaveOnSP objects to Instruction No. 17 in Plaintiff's Third Set of Interrogatories to the extent it purports to require SaveOnSP to answer Plaintiff's Interrogatories based on knowledge obtained from all available sources. SaveOnSP will answer Plaintiff's Interrogatories based on information in its possession, custody, and control available to it following a reasonable inquiry.
- 7. SaveOnSP objects to Instruction No. 18 in Plaintiff's Third Set of Interrogatories to the extent that JJHCS attempts to impose requirements on SaveOnSP beyond those required by the Federal Rules of Civil Procedure, agreed to by the parties, or ordered by the Court.
- 8. SaveOnSP objects to Instruction No. 19 in Plaintiff's Third Set of Interrogatories because it attempts to require SaveOnSP to provide information that is irrelevant to the claims and

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defenses in this action. SaveOnSP will provide information on its interactions with JJHCS and on its general business practices applicable to multiple Pharmaceutical Manufacturers that include such practices applicable to JJHCS.

Dated: February 23, 2024

By: /s/ E. Evans Wohlforth, Jr.
E. Evans Wohlforth, Jr., Esq.
ROBINSON & COLE LLP
666 Third Avenue, 20th Floor
New York, NY 10017-4132
Main (212) 451-2900
Fax (212) 451-2999
ewohlforth@rc.com

Philippe Z. Selendy (admitted pro hac vice)
Andrew R. Dunlap (admitted pro hac vice)
Meredith Nelson (admitted pro hac vice)
Elizabeth Snow (admitted pro hac vice)
SELENDY GAY PLLC
1290 Avenue of the Americas
New York, NY 10104
212-390-9000
pselendy@selendygay.com
adunlap@selendygay.com
mnelson@selendygay.com
esnow@selendygay.com

Attorneys for Defendant Save On SP, LLC

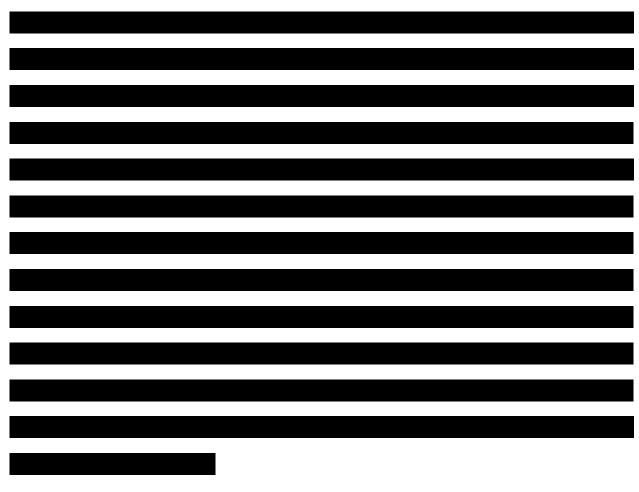
#### SUPPLEMENTAL RESPONSES TO PLAINTIFF'S INTERROGATORIES

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#### **INTERROGATORY NO. 4:**

Describe, in as much detail as possible, the process by which SaveOnSP determines the size of the "inflated co-pay," or increase to Plan Members' Copayment or Co-insurance, including any and all criteria used to inform how that Co-payment or Co-insurance is determined.

KES.	CONSE:	
		_

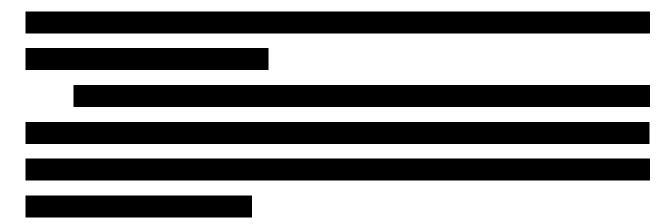


SaveOnSP designates its response to this Interrogatory as Attorneys' Eyes Only under the Discovery Confidentiality Order, so-ordered November 22, 2022, ECF No. 62.

#### **INTERROGATORY NO. 16:**

Describe, in as much detail as possible, all measures that You have utilized to prevent any Pharmaceutical Manufacturer or manufacturers from being able to identify patients that are enrolled in the SaveOnSP Program, or to make it more difficult for them to do so.

RESP	ONSE:			

SaveOnSP designates its response to this Interrogatory as Attorneys' Eyes Only under the Discovery Confidentiality Order, so-ordered November 22, 2022, ECF No. 62.

#### CERTIFICATION OF SAVE ON SP, LLC

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I, Jody Miller, am the President of Save On SP, LLC ("SaveOnSP"). I am authorized to submit this certification on behalf of SaveOnSP. I certify that the foregoing answers made by me to these Interrogatories are true. I further certify that all previously-submitted answers to Interrogatories, including where supplemented, are true. I am aware that if any of the foregoing answers are willfully false, SaveOnSP and I are subject to punishment. I certify that in responding to the foregoing Interrogatories, I have furnished all information available to SaveOnSP, its agents, employees and attorneys. As to those answers which are not within my personal knowledge, I certify that I have provided the name and address of every person from whom such information was received or, where the source of such information is documentary, a full description of the document including its location.

Save On SP, LLC

Date: February 23, 2024

## MOTION TO COMPEL ADDITIONAL CUSTODIANS

## **EXHIBITS 61-62**

### FILED UNDER PERMANENT SEAL

# Exhibit 63

#### Long, Julia (x2878)

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Wednesday, August 28, 2024 7:02 PM

**To:** Suri, Saniya (x2226); Andrew Dunlap; Philippe Selendy; Meredith Nelson; Elizabeth Snow;

Document 491

PageID: 53583

Hannah Miles; Wohlforth, E. Evans; Galli, Sabrina M.; Emma Ashe O'Toole; Kevin Cryan Mangi, Adeel A. (x2563); Sandick, Harry (x2723); LoBiondo, George (x2008); Long, Julia

(2070), and 1011 Council of the coun

(x2878); \_cg J&J-SaveOn; ~jgreenbaum@sillscummis.com; ~klieb@sillscummis.com

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

#### Saniya,

Cc:

Adding Quinn and Vazquez using the same search terms as Leger and Johnson would require SaveOn to review an additional 4,304 documents. SaveOn continues to believe that these custodians are unlikely to have unique, responsive documents and that reviewing their documents is unduly burdensome and disproportionate.

On Sommer, SaveOn has reviewed the additional documents that J&J has provided. SOSP\_1265826, SOSP\_1138626 and SOSP\_1138652 each show Sommer playing a limited role in discussions related to estimated invoices and savings. But as we stated in our August 9 letter, J&J has not explained why it needs additional information on estimated savings, given the voluminous data and communications from other custodians that SaveOn has already produced detailing the amounts that patients on SaveOn-advised plans receive in CarePath funds.

SOSP\_1101250

SOSP\_2180196

We remain available to meet and confer.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]

Selendy Gay PLLC [Web] Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

Filed 01/07/25

Page 191 of 200

From: Suri, Saniya (x2226) <ssuri@pbwt.com> Sent: Monday, August 26, 2024 11:40 AM

To: Matthew Nussbaum <mnussbaum@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Wohlforth, E. Evans <ewohlforth@rc.com>; Galli, Sabrina M. <sgalli@rc.com>; Emma Ashe O'Toole <eashe@selendygay.com>; Kevin Cryan <kcryan@selendygay.com> Cc: Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>; ~jgreenbaum@sillscummis.com <klieb@sillscummis.com <klieb@sillscummis.com> Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Document 491

PageID: 53584

Dear Matt,

During our August 15<sup>th</sup> conferral, you represented that you would provide hit counts as to Ms. Quinn and Ms. Vasquez and your position as to Ms. Sommer by early last week. When can we expect SaveOnSP's response as to Ms. Quinn, Ms. Vasquez, and Ms. Sommer?

Sincerely, Saniya

#### Saniya Suri

Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2226

#### ssuri@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Wednesday, August 21, 2024 3:34 PM

To: Suri, Saniya (x2226) < ssuri@pbwt.com >; Andrew Dunlap < adunlap@selendygay.com >; Philippe Selendy < pselendy@selendygay.com >; Meredith Nelson < mnelson@selendygay.com >; Elizabeth Snow < esnow@selendygay.com >; Hannah Miles < hmiles@selendygay.com >; Wohlforth, E. Evans < ewohlforth@rc.com >; Galli, Sabrina M. < sgalli@rc.com >; Emma Ashe O'Toole < eashe@selendygay.com >; Kevin Cryan < kcryan@selendygay.com > Cc: Mangi, Adeel A. (x2563) < aamangi@pbwt.com >; Sandick, Harry (x2723) < hsandick@pbwt.com >; LoBiondo, George (x2008) < globiondo@pbwt.com >; Long, Julia (x2878) < jlong@pbwt.com >; \_cg J&J-SaveOn < JJSaveOn@pbwt.com >; \_igreenbaum@sillscummis.com < klieb@sillscummis.com > Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Good afternoon, Saniya,

SaveOn's position remains that neither Bartz nor Kramer should be added as custodians. J&J has not shown that these custodians are likely to possess relevant, non-duplicative documents and we maintain that reviewing and producing their documents is unduly burdensome and disproportionate. We were willing to consider a limited

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proposal to avoid a dispute, and we understood based on our meet-and-confer that you would were considering providing one. We now understand that J&J is unwilling to provide such a proposal.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

\_\_\_\_\_

+1 212.390.9062 [O] +1 856.534.8606 [M]

From: Suri, Saniya (x2226) < ssuri@pbwt.com > Sent: Tuesday, August 20, 2024 10:30 AM

To: Matthew Nussbaum <mnussbaum@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy Selendy Selendy Selendy@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <</pre>
<esnow@selendygay.com>; Hannah Miles <</pre>
hmiles@selendygay.com>; Wohlforth, E. Evans <ewohlforth@rc.com>; Galli, Sabrina M. <sgalli@rc.com>; Emma Ashe O'Toole <eashe@selendygay.com>; Kevin Cryan <kcryan@selendygay.com>
Cc: Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:globiondo@pbwt.com">globiondo@pbwt.com</a>; Long, Julia (x2878) <a href="mailto:jlong@pbwt.com">jlong@pbwt.com</a>; \_cg J&J-SaveOn <a href="mailto:JJSaveOn@pbwt.com">JJSaveOn@pbwt.com</a>; <a href="mailto:jgreenbaum@sillscummis.com">jgreenbaum@sillscummis.com</a>; <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>
Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Dear Matt,

We disagree with your representations regarding the conferral. As you know, we asked SaveOnSP to add Mr. Bartz and Ms. Kramer as full custodians and explained our basis for doing so. *See also* July 19, 2024 Ltr. from S. Suri to M. Nelson. SaveOnSP, though, failed to provide any counterproposal to our request. *See* Aug. 16, 2024 Ltr. from S. Suri to M. Nussbaum. Should SaveOnSP wish to provide a counterproposal, we would be happy to consider it. But absent doing so, the parties remain at impasse.

Sincerely, Saniya Suri

#### Saniya Suri

Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2226

#### ssuri@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

Sent: Monday, August 19, 2024 12:27 PM

To: Suri, Saniya (x2226) < ssuri@pbwt.com >; Andrew Dunlap < adunlap@selendygay.com >; Philippe Selendy < pselendy@selendygay.com >; Wordith Nelson < mnelson@selendygay.com >; Elizabeth Snow < esnow@selendygay.com >; Hannah Miles < hmiles@selendygay.com >; Wohlforth, E. Evans < ewohlforth@rc.com >; Galli, Sabrina M. < sgalli@rc.com >; Emma Ashe O'Toole < eashe@selendygay.com >; Kevin Cryan < kcryan@selendygay.com >

Cc: Mangi, Adeel A. (x2563) <a href="mailto:samangi@pbwt.com">amangi@pbwt.com"> ; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com"> ; LoBiondo, George (x2008) <globiondo@pbwt.com"> ; Long, Julia (x2878) <jlong@pbwt.com"> ; \_cg J&J-SaveOn <JJSaveOn@pbwt.com"> ; \_cg J&J-SaveOn@pbwt.com</a> ; \_cg J&

External: Think before you click.

Saniya,

Thank you for your letter. We intend to respond in full this week.

We were surprised by your statement that "the parties are at impasse as to Mr. Bartz and Ms. Kramer." Aug. 16 Ltr. from S. Suri to M. Nussbaum at 2. You had asked SaveOn to add Bartz and Kramer as full custodians; when we asked why they should be added as full custodians with all search terms, you did not provide an explanation. In the interest of compromise, we stated that if you provided limited search terms—targeted to the topics for which you think Bartz and Kramer might possess relevant documents—we would be happy to consider those terms and provide hit counts. You indicated that you were willing to do so.

Before J&J files any motion to compel, we ask that you explain why you believe that Bartz and Kramer should be added as full custodians with all search terms run over their documents, including why a more limited set of search terms would not be acceptable.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O] +1 856.534.8606 [M]

From: Suri, Saniya (x2226) < ssuri@pbwt.com>

**Sent:** Friday, August 16, 2024 10:29 AM

To: Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Wohlforth, E. Evans <<u>ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>sgalli@rc.com</u>>; Emma Ashe O'Toole <<u>eashe@selendygay.com</u>>; Kevin Cryan <<u>kcryan@selendygay.com</u>> Cc: Mangi, Adeel A. (x2563) <<u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) <<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; Long, Julia (x2878) <<u>jlong@pbwt.com</u>>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>; \_igreenbaum@sillscummis.com} <<u>klieb@sillscummis.com</u>> Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Dear Counsel,

Please see the attached correspondence.

Sincerely, Saniya Suri

#### Saniya Suri

Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2226

#### ssuri@pbwt.com

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Wednesday, August 14, 2024 6:43 PM

To: Matthew Nussbaum < mnussbaum@selendygay.com >; Suri, Saniya (x2226) < ssuri@pbwt.com >; Andrew Dunlap

<a href="mailto:<a href="mailto:selendy@selendygay.com">
mailto:<a href="mailto:Adunlap@selendygay.com">
mailto:<a href="mailto:Adunlapgay.com">
mailt

<mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>;

Wohlforth, E. Evans < <a href="mailto:ewohlforth@rc.com">ewohlforth@rc.com</a>; Galli, Sabrina M. < <a href="mailto:sgalli@rc.com">sgalli@rc.com</a>; Emma Ashe O'Toole < <a href="mailto:eashe@selendygay.com">eashe@selendygay.com</a>

Cc: Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:globalented-substantial-substantia

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thanks for your email. Tomorrow at 4:00 p.m. works for us.

Best, Julia

#### **Julia Long**

She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Matthew Nussbaum < mnussbaum@selendygay.com >

Sent: Wednesday, August 14, 2024 3:05 PM

**To:** Long, Julia (x2878) < <u>ilong@pbwt.com</u>>; Suri, Saniya (x2226) < <u>ssuri@pbwt.com</u>>; Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy < pselendy@selendygay.com>; Meredith Nelson

<mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>;

Wohlforth, E. Evans < <a href="mailto:ewohlforth@rc.com">ewohlforth@rc.com</a>; Galli, Sabrina M. < <a href="mailto:sgalli@rc.com">sgalli@rc.com</a>; Emma Ashe O'Toole < <a href="mailto:eashe@selendygay.com">eashe@selendygay.com</a>

**Cc:** Mangi, Adeel A. (x2563) < <u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) < <u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) < globiondo@pbwt.com>; cg J&J-SaveOn@pbwt.com>; ~igreenbaum@sillscummis.com

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Julia,

We are available to meet and confer at 4 p.m. tomorrow. Please let us know if that works and we will circulate a dial-in.

Thank you,

Matt

#### **Matthew Nussbaum**

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < <u>ilong@pbwt.com</u>> Sent: Tuesday, August 13, 2024 6:08 PM

To: Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Suri, Saniya (x2226) <<u>ssuri@pbwt.com</u>>; Andrew Dunlap <<u>adunlap@selendygay.com</u>>; Philippe Selendy <<u>pselendy@selendygay.com</u>>; Meredith Nelson <<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>; Wohlforth, E. Evans <<u>ewohlforth@rc.com</u>>; Galli, Sabrina M. <<u>sgalli@rc.com</u>>; Emma Ashe O'Toole <<u>eashe@selendygay.com</u>>

Cc: Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; Cg J&J-SaveOn <a href="mailto:hsandick@pbwt.com">JJSaveOn@pbwt.com</a>; 'aigreenbaum@sillscummis.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; Cg J&J-SaveOn <a href="mailto:hsandick@pbwt.com">JJSaveOn@pbwt.com</a>; 'aigreenbaum@sillscummis.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; 'kieb@sillscummis.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; 'kieb@sillscummis.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a> <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a> <a href="mailto:hsandi

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Matt,

Thanks for your email. We disagree that it would be productive to discuss 31 custodians in a single conferral. Nonetheless, you now have our position in response to your requests that we add 26 custodians.

In an effort to avoid impasse and to plan sufficient time this week, please provide your availability for a conferral Thursday or Friday. To the extent that your colleague, Elizabeth, also would like to discuss our August 7 letter on SaveOnSP's requested search term, we are happy to add that to our agenda as well.

Best, Julia

**Julia Long**She | Her | Hers
Associate

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Page 196 of 200

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### jlong@pbwt.com

From: Matthew Nussbaum <mnussbaum@selendygay.com>

**Sent:** Tuesday, August 13, 2024 8:36 AM

To: Long, Julia (x2878) <jlong@pbwt.com>; Suri, Saniya (x2226) <ssuri@pbwt.com>; Andrew Dunlap

<aduniap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson

<mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>;

Wohlforth, E. Evans < <a href="mailto:ewohlforth@rc.com">ewohlforth@rc.com</a>; Galli, Sabrina M. < <a href="mailto:sgalli@rc.com">sgalli@rc.com</a>; Emma Ashe O'Toole

<eashe@selendygay.com>

Cc: Mangi, Adeel A. (x2563) < <u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) < <u>hsandick@pbwt.com</u>>; LoBiondo, George

(x2008) <globiondo@pbwt.com>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>; <u>~jgreenbaum@sillscummis.com</u>

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

#### Good morning, Julia,

Thank you for your email. In the interest of efficiency, we propose that the meet-and-confer regarding J&J's proposed addition of five custodians take place at the same time as the anticipated meet-and-confer regarding SaveOn's July 19, 2024 proposed addition of 26 custodians.

You told us that J&J would provide its response on those custodians early this week. See Aug. 8, 2024 Email from J. Long to H. Miles. Once we have had the chance to review that response, we will propose availability for a meetand-confer covering both sides' requests.

Thank you,

#### Matt

#### **Matthew Nussbaum**

Associate [Email]

Selendy Gay PLLC [Web] Pronouns: he, him, his

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Long, Julia (x2878) < jlong@pbwt.com>

**Sent:** Monday, August 12, 2024 1:30 PM

To: Matthew Nussbaum <<u>mnussbaum@selendygay.com</u>>; Suri, Saniya (x2226) <<u>ssuri@pbwt.com</u>>; Andrew Dunlap

<adunlap@selendygay.com>; Philippe Selendy cselendy@selendygay.com; Meredith Nelson

<<u>mnelson@selendygay.com</u>>; Elizabeth Snow <<u>esnow@selendygay.com</u>>; Hannah Miles <<u>hmiles@selendygay.com</u>>;

Wohlforth, E. Evans < <a href="mailto:ewohlforth@rc.com">ewohlforth@rc.com</a>>; Galli, Sabrina M. < <a href="mailto:sgalli@rc.com">sgalli@rc.com</a>>; Emma Ashe O'Toole < <a href="mailto:eashe@selendygay.com">eashe@selendygay.com</a>>

**Cc:** Mangi, Adeel A. (x2563) <<u>aamangi@pbwt.com</u>>; Sandick, Harry (x2723) <<u>hsandick@pbwt.com</u>>; LoBiondo, George (x2008) <<u>globiondo@pbwt.com</u>>; \_cg J&J-SaveOn <<u>JJSaveOn@pbwt.com</u>>; <u>~igreenbaum@sillscummis.com</u>

Case 2:22-cv-02632-CCC-CLW Document 491 Filed 01/07/25 Page 197 of 200 PageID: 53590

<jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Counsel,

We are in receipt of your August 9, 2024 letter regarding our request that SaveOnSP add Jenna Quinn, Ingrid Vasquez, Brandon Bartz, Shannon Sommer, and Hailey Kramer as custodians, and would like to meet and confer. Are you available on Wednesday, August 14 after 2:00 p.m. or Thursday, August 15 between 12:00 p.m. and 3:00 p.m.?

Best, Julia

Julia Long She | Her | Hers Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2878

#### ilong@pbwt.com

From: Matthew Nussbaum < mnussbaum@selendygay.com >

Sent: Friday, August 9, 2024 4:41 PM

To: Suri, Saniya (x2226) <ssuri@pbwt.com>; Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy <pselendy@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow

<esnow@selendygay.com>; Hannah Miles <hmiles@selendygay.com>; Wohlforth, E. Evans <ewohlforth@rc.com>; Galli,

Sabrina M. <sgalli@rc.com>; Emma Ashe O'Toole <eashe@selendygay.com>

Cc: Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Long, Julia (x2878) <jlong@pbwt.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>; ~jgreenbaum@sillscummis.com <jgreenbaum@sillscummis.com>; ~klieb@sillscummis.com <klieb@sillscummis.com>

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Good afternoon, Saniya,

Please see the attached correspondence.

Thank you,

Matt

**Matthew Nussbaum** 

Associate [Email] Selendy Gay PLLC [Web] Pronouns: he, him, his

Filed 01/07/25

Page 198 of 200

+1 212.390.9062 [O]

+1 856.534.8606 [M]

From: Suri, Saniya (x2226) < ssuri@pbwt.com>

Sent: Friday, July 19, 2024 5:10 PM

**To:** Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy selendy@selendygay.com>; Meredith Nelson
<mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Hannah Miles <<a href="hmiles@selendygay.com">hmiles@selendygay.com</a>; Matthew Nussbaum <a href="mmiles@selendygay.com">hmiles@selendygay.com</a>; Wohlforth, E. Evans <a href="mmiles@selendygay.com">ewohlforth@rc.com</a>; Galli, Sabrina M. <<a href="mmiles@selendygay.com">sgalli@rc.com</a>; Emma Ashe O'Toole <a href="mmiles@selendygay.com">eashe@selendygay.com</a>>

PageID: 53591

Cc: Mangi, Adeel A. (x2563) <a href="mailto:samangi@pbwt.com">amangi@pbwt.com">amangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:sandick@pbwt.com">handick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sglobiondo@pbwt.com">globiondo@pbwt.com</a>; Long, Julia (x2878) <a href="mailto:sloom">jlong@pbwt.com</a>; \_cg J&J-SaveOn <a href="mailto:sloom">JJSaveOn@pbwt.com</a>; \_cg J&J-SaveOn <a href="mailto:sloom">jlong@pbwt.com</a>; \_cg J&J-SaveOn <a href="mailto:sloom">jlong@pbwt.com</a>; \_cg J&J-SaveOn <a href="mailto:sloom">jlong@pbwt.com</a>; \_cklieb@sillscummis.com <a href="mailto:klieb@sillscummis.com">klieb@sillscummis.com</a>; \_cklieb@sillscummis.com

Subject: RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Counsel,

Please see the attached correspondence.

Sincerely, Saniya Suri

#### Saniya Suri

Associate

Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas New York, NY 10036

T 212.336.2226

ssuri@pbwt.com

From: Emma Ashe O'Toole <eashe@selendygay.com>

Sent: Wednesday, July 3, 2024 11:27 AM

**To:** Mangi, Adeel A. (x2563) <a href="mailto:aamangi@pbwt.com">aamangi@pbwt.com</a>; Sandick, Harry (x2723) <a href="mailto:hsandick@pbwt.com">hsandick@pbwt.com</a>; LoBiondo, George (x2008) <a href="mailto:sglobiondo@pbwt.com">globiondo@pbwt.com</a>; Suri, Saniya (x2226) <a href="mailto:ssuri@pbwt.com">ssuri@pbwt.com</a>; Long, Julia (x2878) <a href="mailto:sjlong@pbwt.com">jlong@pbwt.com</a>; \_cg J&J-SaveOn <a href="mailto:sjlong@pbwt.com">JJSaveOn@pbwt.com</a>; \_igreenbaum@sillscummis.com <a href="mailto:sglobaled">jgreenbaum@sillscummis.com</a>; \_igreenbaum@sillscummis.com</a>>; \_igreenbaum@sillscummis.com

Cc: Andrew Dunlap <adunlap@selendygay.com>; Philippe Selendy celendy@selendygay.com; Meredith Nelson
<mnelson@selendygay.com</pre>; Elizabeth Snow <a href="mailto:esnow@selendygay.com">esnow@selendygay.com</a>; Hannah Miles <a href="mailto:hmiles@selendygay.com">hmiles@selendygay.com</a>;
Matthew Nussbaum <a href="mailto:mnussbaum@selendygay.com">hmiles@selendygay.com</a>; Wohlforth, E. Evans <a href="mailto:ewohlforth@rc.com">ewohlforth@rc.com</a>; Galli, Sabrina M.</a><a href="mailto:sgalli@rc.com">esgalli@rc.com</a>

Subject: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

External: Think before you click.

Counsel,

PageID: 53592

Page 199 of 200

Please find attached a letter in the above-captioned matter.

Best, Emma

#### Emma Ashe O'Toole

Associate [Email]
Selendy Gay PLLC [Web]
Pronouns: she, her, hers

+1 212.390.9339 [O]

+1 646.417.3643 [M]

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